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*Annual Digest of*

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**STATE AND FEDERAL  
LABOR LEGISLATION**

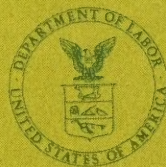
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**U.S. DEPARTMENT OF LABOR  
BUREAU OF LABOR STANDARDS**







*Annual Digest of*

**STATE AND FEDERAL  
LABOR LEGISLATION**

1965-

1966



**U.S. DEPARTMENT OF LABOR**

**W. Willard Wirtz, *Secretary***

**BUREAU OF LABOR STANDARDS**

**Nelson M. Bortz, *Director***

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## ***FOREWORD***

This bulletin, the twenty-ninth issue in a series, combines two annual digests of labor legislation. Part I covers State and Federal laws enacted in 1965, and Part II, laws enacted in 1966. The digests have been prepared for informational and research purposes only, and should not be regarded as official summaries.

Digests of Federal acts were based on summaries prepared by the Solicitor's Office; and digests of women's laws, on summaries prepared by the Women's Bureau of the Department.

This bulletin was prepared by Norene M. Diamond and Deborah T. Bond under the general direction of Milton Brooke, Chief, Division of State Services and Standards, Bureau of Labor Standards.





## CONTENTS

### PART I--1965

	Page
INTRODUCTION-----	3
ALABAMA	
Occupational Safety and Health-----	15
Private Employment Agencies-----	15
Workmen's Compensation-----	15
Miscellaneous-----	15
ALASKA	
Discrimination in Employment-----	16
Industrial Relations-----	16
State Department of Labor-----	16
Training and Retraining-----	16
Wage Payment and Wage Collection-----	16
Workmen's Compensation-----	16
ARIZONA	
Discrimination in Employment-----	17
ARKANSAS	
Industrial Relations-----	17
Occupational Safety and Health-----	18
Workmen's Compensation-----	18
CALIFORNIA	
Agricultural Workers-----	18
Apprenticeship-----	19
Child Labor and School Attendance-----	19
Discrimination in Employment-----	19
Hours of Work-----	20
Industrial Homework-----	20
Industrial Relations-----	20
Migratory Workers-----	20
Occupational Safety and Health-----	21
Older Workers-----	21
Private Employment Agencies-----	21
State Department of Labor-----	22
Training and Retraining-----	22
Wage Payment and Wage Collection-----	22
Wages--Equal Pay-----	22
Wages and Hours--Women and Minors-----	23
Workmen's Compensation-----	23
Miscellaneous-----	23

# CONTENTS--1965

	Page
<b>COLORADO</b>	
Child Labor and School Attendance-----	24
Debt Pooling-----	24
Discrimination in Employment-----	24
Industrial Relations-----	24
Migratory Workers-----	24
Occupational Safety and Health-----	24
State Department of Labor-----	25
Wages--Wage Garnishment-----	25
Workmen's Compensation-----	25
<b>CONNECTICUT</b>	
Child Labor and School Attendance-----	26
Discrimination in Employment-----	26
Industrial Relations-----	26
Training and Retraining-----	27
Wages--Wage Garnishment-----	27
Workmen's Compensation-----	27
<b>DELAWARE</b>	
Hours of Work-----	27
Industrial Relations-----	27
Wage Payment and Wage Collection-----	28
Wages and Hours--All Workers-----	28
Workmen's Compensation-----	28
<b>DISTRICT OF COLUMBIA</b>	
Discrimination in Employment-----	29
<b>FLORIDA</b>	
Agriculture-----	29
Child Labor and School Attendance-----	29
Industrial Relations-----	29
Migratory Workers-----	29
Occupational Safety and Health-----	30
Private Employment Agencies-----	30
Training and Retraining-----	30
Workmen's Compensation-----	31
<b>GEORGIA</b>	
Occupational Safety and Health-----	31
<b>HAWAII</b>	
Child Labor and School Attendance-----	31
Hours of Work-----	31
Industrial Relations-----	32
Training and Retraining-----	32
Wage Payment and Wage Collection-----	32
Wages--Prevailing Wages-----	32
Wages and Hours--All Workers-----	33
Workmen's Compensation-----	33
Miscellaneous-----	34



# CONTENTS--1965

	Page
IDAHO	
Discrimination in Employment-----	34
Older Workers-----	34
Wages--Prevailing Wages-----	35
Wages--Public Works-----	35
Workmen's Compensation-----	35
ILLINOIS	
Discrimination in Employment-----	36
Migratory Workers-----	36
Occupational Safety and Health-----	36
Training and Retraining-----	37
Wages and Hours--Women and Minors-----	37
Wages--Miscellaneous-----	37
Workmen's Compensation-----	38
INDIANA	
Discrimination in Employment-----	38
Industrial Relations-----	38
Migratory Workers-----	39
Occupational Safety and Health-----	39
Older Workers-----	39
Wage Payment and Wage Collection-----	39
Wages and Hours--All Workers-----	39
Workmen's Compensation-----	40
IOWA	
Discrimination in Employment-----	41
Industrial Relations-----	41
Occupational Safety and Health-----	41
Workmen's Compensation-----	42
KANSAS	
Child Labor and School Attendance-----	43
Discrimination in Employment-----	43
Older Workers-----	43
MAINE	
Apprenticeship-----	43
Child Labor and School Attendance-----	44
Discrimination in Employment-----	44
Industrial Relations-----	44
Occupational Safety and Health-----	45
Older Workers-----	45
Training and Retraining-----	45
Wages--Equal Pay-----	45
Wages--Prevailing Wages-----	45
Wages--Wage Garnishment-----	46
Wages and Hours--All Workers-----	46
Workmen's Compensation-----	46

# CONTENTS--1965

	Page
MARYLAND	
Apprenticeship-----	47
Child Labor and School Attendance-----	48
Discrimination in Employment-----	48
Occupational Safety and Health-----	48
Wages--Prevailing Wages-----	49
Wages and Hours--All Workers-----	49
Workmen's Compensation-----	50
MASSACHUSETTS	
Agricultural Workers-----	50
Child Labor and School Attendance-----	50
Discrimination in Employment-----	50
Emergency Relaxations-----	51
Hours of Work-----	51
Industrial Relations-----	51
Migratory Workers-----	52
Occupational Safety and Health-----	52
Wages--Prevailing Wages-----	52
Wages and Hours--All Workers-----	52
Wages--Wage Garnishment-----	53
Workmen's Compensation-----	53
Miscellaneous-----	54
MICHIGAN	
Agricultural Workers-----	54
Child Labor and School Attendance-----	54
Debt Pooling-----	54
Discrimination in Employment-----	54
Industrial Relations-----	54
Migratory Workers-----	55
Occupational Safety and Health-----	56
Older Workers-----	57
Private Employment Agencies-----	57
State Department of Labor-----	58
Wage Payment and Wage Collection-----	58
Wages--Prevailing Wages-----	58
Wages and Hours--All Workers-----	59
Workmen's Compensation-----	59
MINNESOTA	
Discrimination in Employment-----	61
Industrial Relations-----	61
Wages--Prevailing Wages-----	62
Wages and Hours--Women and Minors-----	62
Workmen's Compensation-----	62
MISSOURI	
Discrimination in Employment-----	63
Industrial Relations-----	63
Occupational Safety and Health-----	63
Wages--Equal Pay-----	64
Wages--Prevailing Wages-----	64
Workmen's Compensation-----	64



# CONTENTS--1965

	Page
MONTANA	
Discrimination in Employment-----	65
Industrial Relations-----	65
Wage Payment and Wage Collection-----	65
Workmen's Compensation-----	65
NEBRASKA	
Discrimination in Employment-----	66
Industrial Relations-----	67
Private Employment Agencies-----	67
Workmen's Compensation-----	67
NEVADA	
Apprenticeship-----	68
Discrimination in Employment-----	68
Private Employment Agencies-----	68
Wage Payment and Wage Collection-----	69
Wages and Hours--All Workers-----	69
Workmen's Compensation-----	69
NEW HAMPSHIRE	
Apprenticeship-----	70
Child Labor and School Attendance-----	70
Discrimination in Employment-----	71
Industrial Relations-----	71
Occupational Safety and Health-----	72
Private Employment Agencies-----	72
Wages--Prevailing Wages-----	72
Wages and Hours--All Workers-----	72
Workmen's Compensation-----	73
NEW JERSEY	
Child Labor and School Attendance-----	73
Hours of Work-----	74
Occupational Safety and Health-----	74
State Department of Labor-----	75
Wage Payment and Wage Collection-----	75
Workmen's Compensation-----	75
NEW MEXICO	
Debt Pooling-----	76
Industrial Relations-----	76
Wages--Prevailing Wages-----	76
Wages and Hours--All Workers-----	76
Workmen's Compensation-----	77
NEW YORK	
Agricultural Workers-----	77
Apprenticeship-----	78
Child Labor and School Attendance-----	78
Discrimination in Employment-----	78
Emergency Relaxations-----	79
Industrial Relations-----	79

# CONTENTS--1965

	Page
<b>NEW YORK (continued)</b>	
Occupational Safety and Health-----	79
Older Workers-----	80
Private Employment Agencies-----	80
Training and Retraining-----	81
Wages--Equal Pay-----	81
Wages--Prevailing Wages-----	82
Wages and Hours--All Workers-----	82
Workmen's Compensation-----	82
<b>NORTH CAROLINA</b>	
Hours of Work-----	83
Industrial Relations-----	83
Occupational Safety and Health-----	83
Wages and Hours--All Workers-----	83
Workmen's Compensation-----	83
<b>NORTH DAKOTA</b>	
Agricultural Workers-----	84
Child Labor and School Attendance-----	84
Discrimination in Employment-----	84
Industrial Relations-----	84
Occupational Safety and Health-----	84
Older Workers-----	85
State Department of Labor-----	85
Wage Payment and Wage Collection-----	85
Wages--Equal Pay-----	86
Wages--Wage Garnishment-----	86
Wages and Hours--All Workers-----	86
Workmen's Compensation-----	87
Miscellaneous-----	87
<b>OHIO</b>	
Child Labor and School Attendance-----	88
Hours of Work-----	88
Wages--Prevailing Wages-----	88
Miscellaneous-----	88
<b>OKLAHOMA</b>	
Discrimination in Employment-----	89
Industrial Relations-----	89
Occupational Safety and Health-----	89
Wages--Equal Pay-----	89
Wages--Prevailing Wages-----	90
Wages and Hours--All Workers-----	90
Workmen's Compensation-----	90
<b>OREGON</b>	
Apprenticeship-----	91
Child Labor and School Attendance-----	92
Debt Pooling-----	92
Discrimination in Employment-----	92
Industrial Relations-----	92

# CONTENTS--1965

	Page
OREGON (continued)	
Migratory Workers-----	92
Older Workers-----	92
Training and Retraining-----	92
Wages--Wage Garnishment-----	93
Wages--Prevailing Wages-----	93
Workmen's Compensation-----	94
PENNSYLVANIA	
Agricultural Workers-----	95
Child Labor and School Attendance-----	95
Discrimination in Employment-----	95
Hours of Work-----	95
Industrial Relations-----	96
Occupational Safety and Health-----	96
Training and Retraining-----	96
Workmen's Compensation-----	96
PUERTO RICO	
Discrimination in Employment-----	98
Hours of Work-----	98
Industrial Relations-----	98
Occupational Safety and Health-----	98
Training and Retraining-----	99
Wages and Hours--All Workers-----	99
Workmen's Compensation-----	100
RHODE ISLAND	
Industrial Relations-----	100
Wages--Equal Pay-----	100
Wages--Prevailing Wages-----	100
Workmen's Compensation-----	101
SOUTH CAROLINA	
Occupational Safety and Health-----	101
SOUTH DAKOTA	
Child Labor and School Attendance-----	101
Wages--Equal Pay-----	102
Workmen's Compensation-----	102
TENNESSEE	
Child Labor and School Attendance-----	102
Occupational Safety and Health-----	103
State Department of Labor-----	103
Wages--Wage Garnishment-----	103
Workmen's Compensation-----	103
TEXAS	
Child Labor and School Attendance-----	103
Debt Pooling-----	104
Industrial Relations-----	104
Migratory Workers-----	104
Occupational Safety and Health-----	104
Workmen's Compensation-----	104



# CONTENTS--1965

	Page
UTAH	
Discrimination in Employment-----	105
Occupational Safety and Health-----	106
Workmen's Compensation-----	106
VERMONT	
Child Labor and School Attendance-----	107
Training and Retraining-----	107
Wage Payment and Wage Collection-----	108
Wages and Hours--All Workers-----	108
Workmen's Compensation-----	108
WASHINGTON	
Agricultural Workers-----	109
Hours of Work-----	109
Industrial Relations-----	109
Occupational Safety and Health-----	110
Wages--Prevailing Wages-----	110
Workmen's Compensation-----	110
WEST VIRGINIA	
Industrial Relations-----	112
Occupational Safety and Health-----	112
State Department of Labor-----	112
Wages--Equal Pay-----	112
Workmen's Compensation-----	112
WISCONSIN	
Child Labor and School Attendance-----	113
Discrimination in Employment-----	113
Industrial Relations-----	113
Migratory Workers-----	113
Wages--Prevailing Wages-----	113
Wages and Hours--Women and Minors-----	114
Wages--Wage Garnishment-----	114
Workmen's Compensation-----	114
WYOMING	
Discrimination in Employment-----	115
Industrial Relations-----	115
Wages and Hours--All Workers-----	116
Workmen's Compensation-----	116
UNITED STATES-----	116

# CONTENTS--1966

	Page
INTRODUCTION-----	131
ALASKA	
Child Labor and School Attendance-----	140
Occupational Safety and Health-----	140
Wage Payment and Wage Collection-----	140
Wages--Equal Pay-----	140
Wages--Wage Garnishment-----	140
Wages and Hours--All Workers-----	140
Wages--Miscellaneous-----	140
Workmen's Compensation-----	141
ARIZONA	
Hours of Work-----	141
Wage Payment and Wage Collection-----	141
CALIFORNIA	
Occupational Safety and Health-----	142
DELAWARE	
Child Labor and School Attendance-----	142
Debt Pooling-----	142
Industrial Relations-----	142
Occupational Safety and Health-----	143
Training and Retraining-----	143
Workmen's Compensation-----	143
DISTRICT OF COLUMBIA	
Hours of Work-----	143
Wages and Hours--All Workers-----	144
GEORGIA	
Industrial Relations-----	144
Wages--Equal Pay-----	145
Workmen's Compensation-----	145
HAWAII	
Wage Payment and Wage Collection-----	145
Wages and Hours--All Workers-----	145
Workmen's Compensation-----	146
KENTUCKY	
Discrimination in Employment-----	146
Occupational Safety and Health-----	147
Time Off For Voting-----	147
Wages--Equal Pay-----	147
Wages--Wage Garnishment-----	147
Wages and Hours--All Workers-----	148
Workmen's Compensation-----	148
LOUISIANA	
Agricultural Workers-----	148
Child Labor and School Attendance-----	148
Industrial Relations-----	148
Occupational Safety and Health-----	149

# CONTENTS--1966

	Page
LOUISIANA (continued)	
Veterans' Reemployment Rights-----	149
Wage Payment and Wage Collection-----	149
Wages and Hours--All Workers-----	149
Workmen's Compensation-----	150
MAINE	
Agricultural Workers-----	150
Occupational Safety and Health-----	150
Workmen's Compensation-----	150
MARYLAND	
Apprenticeship-----	151
Child Labor and School Attendance-----	151
Industrial Relations-----	151
Occupational Safety and Health-----	151
Wage Payment and Wage Collection-----	152
Wages--Equal Pay-----	152
Wages and Hours--All Workers-----	153
Workmen's Compensation-----	153
MASSACHUSETTS	
Discrimination in Employment-----	153
Hours of Work-----	154
Industrial Relations-----	154
Occupational Safety and Health-----	154
Older Workers-----	154
Private Employment Agencies-----	154
Wage Payment and Wage Collection-----	155
Wages--Equal Pay-----	155
Wages--Prevailing Wages-----	155
Wages and Hours--All Workers-----	156
Workmen's Compensation-----	156
MICHIGAN	
Agricultural Workers-----	156
Child Labor and School Attendance-----	156
Discrimination in Employment-----	156
Hours of Work-----	157
Industrial Relations-----	157
Migratory Workers-----	157
Occupational Safety and Health-----	157
Private Employment Agencies-----	157
State Department of Labor-----	158
Wages and Hours--All Workers-----	158
Workmen's Compensation-----	158
MISSISSIPPI	
Industrial Relations-----	159
Training and Retraining-----	159
Wages--Wage Garnishment-----	159



# CONTENTS--1966

	Page
NEVADA	
Workmen's Compensation-----	159
NEW JERSEY	
Discrimination in Employment-----	160
Hours of Work-----	160
Industrial Relations-----	160
Occupational Safety and Health-----	160
Wage Payment and Wage Collection-----	161
Wages--Prevailing Wages-----	161
Wages and Hours--All Workers-----	161
Workmen's Compensation-----	161
NEW YORK	
Agricultural Workers-----	163
Apprenticeship-----	163
Child Labor and School Attendance-----	163
Discrimination in Employment-----	163
Industrial Homework-----	164
Industrial Relations-----	164
Migratory Workers-----	165
Occupational Safety and Health-----	165
State Department of Labor-----	165
Training and Retraining-----	166
Wage Payment and Wage Collection-----	166
Wages--Equal Pay-----	167
Wages--Prevailing Wages-----	167
Wages--Wage Garnishment-----	168
Wages and Hours--All Workers-----	168
Workmen's Compensation-----	168
Miscellaneous-----	169
PENNSYLVANIA	
Child Labor and School Attendance-----	169
Industrial Relations-----	170
Occupational Safety and Health-----	170
Wages and Hours--All Workers-----	171
Miscellaneous-----	171
RHODE ISLAND	
Industrial Relations-----	171
Occupational Safety and Health-----	172
Wage Payment and Wage Collection-----	172
Wages--Wage Garnishment-----	172
Wages and Hours--All Workers-----	172
Workmen's Compensation-----	173
SOUTH CAROLINA	
Training and Retraining-----	173
Workmen's Compensation-----	173

# CONTENTS--1966

	Page
SOUTH DAKOTA	
Wages--Equal Pay-----	174
Wages and Hours--All Workers-----	174
Workmen's Compensation-----	174
UTAH	
Wage Payment and Wage Collection-----	175
VERMONT	
Wages--Wage Garnishment-----	175
VIRGINIA	
Child Labor and School Attendance-----	175
Hours of Work-----	175
Industrial Relations-----	175
Occupational Safety and Health-----	176
Private Employment Agencies-----	177
Workmen's Compensation-----	177
Miscellaneous-----	178
WEST VIRGINIA	
Wages and Hours--All Workers-----	178
Workmen's Compensation-----	179
WISCONSIN	
Industrial Relations-----	179
Wages--Prevailing Wages-----	180
Workmen's Compensation-----	180
UNITED STATES-----	181
INDEX TO TOPICAL HEADINGS-----	190

***Part I***

**Annual Digest**

**Laws Enacted in 1965**





## INTRODUCTION

The legislature of forty-seven States and Puerto Rico met in regular session in 1965, introduced over 6,000 bills affecting labor, and enacted more than 700 of these into law. The laws covered a broad range of subjects. The progress made in the fields of minimum wage, discrimination in employment, occupational safety and health, and workmen's compensation legislation acquire a special significance in the light of Federal programs to relieve poverty.

Child Labor and School Attendance.--No comprehensive revision was made of any child labor law this year, but a number of significant amendments were passed. For instance, New Hampshire authorized the Commissioner of Labor to declare occupations hazardous for minors under 18 and prohibited the employment of minors in occupations declared hazardous by the U. S. Secretary of Labor under the Federal Fair Labor Standards Act. This State also required employers subject to the Federal act to obtain employment certificates for minors between 16 and 18 years of age. New Hampshire added a provision to limit the hours of working children under 16 years of age to 4 hours a day and 28 a week when school is in session.

For enrollees in school-work programs, Connecticut now permits minors of 14 and 15 to work in specified establishments otherwise prohibited and Pennsylvania permits girls of 16 and 17 to be employed until 10 p.m. Ohio provided that an employment certificate may be issued to a minor of 16 or over who has completed a vocational program adequate to prepare him for an occupation and required each school district to establish such a program.

Maryland modified its law to permit work by minors under 18 in certain occupations on docks or wharves, and also lowered from 18 to 16 the minimum age for girls employed in motion picture theaters. This State also repealed its provisions regulating the employment of newsboys, while New Jersey provided for newspaper publishers to issue special permits for the employment of newsboys.

In the related area of school attendance, Maine and Texas raised their upper compulsory ages to 17, Kansas eliminated its former exemption under which children could be excused from further attendance if they had completed the 8th grade, and Vermont required completion of the 10th grade. Massachusetts authorized the lower and upper ages of compulsory school attendance to be set by the board of education rather than be specified in the law.

Discrimination in Employment.--Laws prohibiting discrimination in employment on the basis of race, creed, color, national origin, or ancestry were approved for the first time in Arizona, Maine, Maryland, Montana, Nebraska, Nevada, New Hampshire, Utah, and Wyoming; and an ordinance was adopted in the District of Columbia. There are now 34 States, the District of Columbia, and Puerto Rico that prohibit such discrimination.

The new laws of Arizona, Maryland, Nebraska, Utah, and Wyoming, and the District of Columbia ordinance also prohibited discrimination based on sex, and the former laws of Massachusetts, Missouri, and New York were augmented by such a prohibition. A total of 11 jurisdictions now prohibit discrimination in employment because of sex.

Several important amendments or related acts were also passed. California, Missouri, and New Hampshire prohibited discrimination in apprenticeship programs. Kansas, Missouri, and New York added further prohibitions against discrimination by employment agencies, while Iowa added employment agencies for the first time. The numerical exemption was removed in Minnesota, and reduced in Kansas, Missouri, New York, and Pennsylvania. Kansas and New York removed the exemption for religious, educational, or charitable organizations. Alaska added prohibitions in connection with advertising and preemployment inquiries.

Idaho, Indiana, Maine, Michigan, and North Dakota prohibited discrimination in employment because of age, making a total of 23 jurisdictions with such laws. In Oregon discrimination because of age was prohibited in apprenticeship programs.

A Wisconsin amendment prohibited discrimination against persons because of a handicap if the persons are properly qualified for the job.

Hours of Work.--The women's hours laws were modified in a few States. For example, a California amendment permitted certain bioanalysts, technicians, and therapists in hospitals to work more than 8 hours a day or 48 a week if overtime is paid; Washington exempted from its law women in executive, administrative, and professional positions; and Pennsylvania exempted administrators, professionals, confidential secretaries, and outside salesmen. Massachusetts amended its nightwork provisions for manufacturing and mechanical establishments, and now permits the employment of women 21 and over after 11 p.m. and before 6 a.m. in such establishments under specified conditions. A New Jersey amendment specified that the meal period may be reduced to 20 minutes under certain conditions, providing wages are paid for the period, and Pennsylvania provided for suspension of the meal period.

The North Carolina hours law, applying to both men and women, newly exempted food and vegetable processing plants from its requirements.



Industrial Relations.--Indiana repealed its right-to-work law, leaving 19 States with such laws of general application. (A 20th State--Louisiana--has a law but it is applicable only to certain agricultural workers.)

Bargaining rights for public employees were again the subject of legislative action in several States. Among these were Delaware and Michigan, which granted bargaining rights to all public employees; Maine and Wyoming, to firemen; Rhode Island, to firemen and policemen; Missouri, to all except teachers, the National Guard, and policemen; Connecticut and Massachusetts to most municipal employees and to certain school employees; and Massachusetts also to housing authority employees. Oregon directed county and municipal boards administering the civil service system to establish procedures for the certification of collective bargaining representatives for civil service employees. Colorado extended its labor peace act to employees of mass transportation systems operated by the State or any of its political subdivisions, and New Mexico authorized municipalities seeking a grant under the Federal Urban Mass Transportation Act to enter into collective bargaining with an appropriate union. Puerto Rico empowered the Governor to take certain steps, including the appointment of a factfinding board, when a strike is threatened that would result in the cessation of any essential public service.

The rights of private employees were strengthened by an act granting bargaining rights to certain employees of nonprofit hospitals throughout New York State, rather than only those in New York City as formerly. Connecticut amended its labor relations act to make it an unfair labor practice for an employer to require a statement on union affiliation as a condition of employment.

Michigan made its Labor Mediation Board responsible for the administration of labor relations functions, a task formerly left to the courts; the Board is specifically directed to administer the labor relations and mediation functions separately. West Virginia gave statutory authority to the Commissioner of Labor to mediate or arbitrate labor disputes; formerly such service was established in practice by the Governor. North Dakota, on the other hand, repealed its law authorizing mediation of general labor disputes.

Other significant measures included laws in Hawaii and Washington prohibiting the use of lie-detector tests as a condition of employment; laws in Iowa, Maine, and New Hampshire prohibiting the use of professional strikebreakers, a Michigan law prohibiting the importation of any strikebreakers rather than only professional strikebreakers as formerly; and a law in Washington requiring the trustees of every welfare trust fund to register such funds with the Insurance Commissioner.

Migratory Workers.--Important measures dealing with the regulation of housing for migratory workers were passed in Indiana and Michigan, both of which authorized administrative agencies to set mandatory housing and sanitation standards for facilities used by five or more

migratory agricultural workers. There are now 32 States establishing mandatory housing standards by law or regulation.

Illinois amended its law to require all camps (rather than only certain ones as formerly) to be licensed annually if they provide living quarters for 10 or more migratory workers or for four or more families. A Florida law provided for housing authorities in certain counties to acquire and operate housing for domestic farm labor and low-income agricultural workers.

In addition to housing legislation, Florida and Michigan also specifically provided for safety standards for motor vehicles used to transport migratory workers. California amended its vehicle code to require the passenger compartment of trucks with solid sides to have side windows. This State also amended its farm labor contractor law by prohibiting contractors from recruiting and transporting employees for farmwork without a bona fide order, and by requiring payment to workers for travel time if they are transported without an order and work is not provided.

Education of migratory children received consideration in Michigan and Oregon, both of which provided for summer schools for such children.

A Texas law required a tuberculosis examination for persons seeking migratory work, and California enacted the first law requiring employers to provide sanitary facilities for the use of employees in the fields.

Occupational Safety and Health.--This year saw a continuation of the trend of recent years to improve existing laws or enact new ones relating to radiation control programs. A Washington amendment required licensing of certain radiation sources and operations and extended its radiation control law to apply to occupational, as well as public, safety and health. Puerto Rico enacted a comprehensive law authorizing a licensing requirement. Colorado and North Dakota passed more comprehensive acts than formerly; they designated the State Department of Health as the State radiation control agency; provided for licensing or registration of certain radiation sources and operations; and authorized the Governor of the State to enter into agreements with the Federal Government for transfer to the State of certain responsibilities. Such Federal-State agreements were also authorized in Georgia and Michigan and in the new Puerto Rico act. In addition, Massachusetts, New Hampshire, and Puerto Rico each created advisory bodies on radiation protection.

In the area of general occupational safety, several significant laws were enacted. An Iowa law created the Employment Safety Commission, granting general safety rulemaking authority to that body. Both Iowa and Maine made employers responsible for providing safe working places for employees. Maine also increased the

powers of the State Labor Commissioner by authorizing the correction of all hazards in all places of employment rather than only specified hazards as before, and by specifying that the Commissioner may order immediate correction where there is extreme hazard. New Jersey enacted a modernized comprehensive Worker Health and Safety Act that broadened the powers of the Department of Labor and Industry and extended coverage to all places of employment instead of only to specified industries. In Missouri the Division of Industrial Inspection was given the duty of investigating accidents that resulted in requiring physical rehabilitation of the workers.

Other safety laws were more specialized. For instance, a Tennessee law related to safety in the construction industry, and a West Virginia law to safety in the installation and maintenance of electrical wiring and equipment. Oklahoma and Missouri required railroads to provide safe motor vehicles when used to transport workers (except agriculture workers) to and from work.

Laws were enacted for the first time in 13 States (Alabama, Arkansas, California, Florida, Illinois, Iowa, New Jersey, New York, Oklahoma, Pennsylvania, South Carolina, Texas, and Utah) to require pupils and teachers in certain vocational education courses to wear eye-protective devices. Oklahoma required also that teachers and students in certain classes be provided with respirators.

Private Employment Agencies.--Alabama, for the first time, required operators of private employment agencies to obtain licenses. A few other laws were amended. California and Nebraska raised the license fees for agencies, and Florida and Michigan prohibited the use of a name similar to that of a public or any other private employment agency. Michigan and Nebraska specifically exempted temporary help agencies from their laws regulating private employment agencies, and California exempted management consultants. A new type of law in New York established standards for the recruitment of domestic workers from outside the United States for employment in that State, and also prohibited the recruitment of minors under 18 years of age from outside the State for domestic work within the State.

In Nebraska agents who solicit in the State for common or agricultural labor for employment outside the State must now obtain licenses for such solicitation.

Training and Retraining.--Alaska, Hawaii, Maine, Oregon, Pennsylvania, Puerto Rico, and Vermont authorized participation for the first time or continued participation in the Federal Manpower Development and Training Act of 1962. Oregon and Connecticut directed certain agencies to determine manpower and training needs. Illinois authorized agreements to provide education or training for adults and youths whose school has been interrupted, and also training for public assistance recipients. Maine authorized programs of education

and training for high school graduates and adults, and Puerto Rico authorized the development of job training programs for youth and promotion of community participation in the programs. California continued a youth demonstration project for boys 16 to 22 in education, conservation, and work programs.

An important apprenticeship law was that of Maryland, repealing its former law and enacting a new comprehensive law authorizing the Department of Labor and Industry to administer an apprenticeship program to conform to the code of Federal regulations. New York authorized the Industrial Commissioner to promote apprenticeship programs for persons on parole.

Wage Standards.--Minimum wages. Minimum wage laws were passed for the first time in Delaware, Indiana, and Maryland. All applied to both men and women and established a minimum rate of \$1 an hour. In addition, in Oklahoma a former wage board law (which applied to women and minors only and under which no rates were in effect) was replaced by a law establishing a statutory rate of \$1 an hour, applicable to both men and women.

Six States raised their statutory hourly minimum rate for general employment: Nevada and Vermont to \$1.25; Maine to \$1.15, to be increased to \$1.25 October 15, 1966; North Carolina and Wyoming to \$1; and New Mexico to 90 cents. New Mexico also raised its rate for service employees, as did Massachusetts: New Mexico to 80 cents, and Massachusetts to 90 cents as of September 5, 1966, and to 93 cents a year later. The Maine amendment provided also for overtime pay, and an amendment to the Hawaii law added board and lodging allowances to wages for purposes of determining overtime pay.

In Nevada, statutory wage rates (formerly applicable to women and girls only) were established for the first time for men and boys also; and North Dakota made its wage board law applicable to men, as well as to women and minors as formerly.

There are now 39 jurisdictions with minimum wage laws, although in three of these no rates are in effect. Twenty-three of the laws apply to both men and women, and 24 establish statutory wage rates.

Wage payment and wage collection. Delaware and North Dakota enacted their first comprehensive wage payment and wage collection laws; each formerly had laws applying only to employees of railroads. Both new laws required regular paydays, prompt payment to workers who quit or are discharged or are out of work because of a labor dispute; both authorized the administrative agency to take assignment of wage claims.

New Jersey extended coverage of its law by making it applicable to all employers except independent contractors and subcontractors; the amendment also required employers to keep wage and hour records and to give employees wage statements showing deductions.



The amount of wage claim that the administrator may accept for collection was raised to \$2500 in Alaska and to \$499.99 in Indiana. A Vermont law authorized the Department of Labor to accept complaints, to try to reach settlement, and, if necessary, to refer the case to the Attorney General. Hawaii authorized reciprocal agreements with other States for the collection of wage claims or judgments.

Posting a bond was required as security for wages in California by employers of persons in door-to-door selling, and in Montana by employers using leased restaurants, bars, or taverns.

Prevailing wages. Payment of prevailing wages to workers on State projects was required for the first time in Michigan and Oklahoma. Maine added to its prevailing wage law comprehensive provisions for the determination of minimum fair wage rates by the Department of Labor and Industry for workers on the construction of public improvements. The Michigan law, and amendments in Idaho, Missouri, New Mexico, Ohio, Rhode Island, and Washington specified that fringe benefits be included in determining the prevailing rate, and a New Hampshire amendment provided for including more fringe benefits than formerly.

A new Hawaii law provided for labor standards, including payment of prevailing wages, for employees of contractors supplying services to government agencies.

Equal pay. North Dakota, Oklahoma, and West Virginia enacted new equal pay laws. Amendments to such laws were enacted in California to strengthen the enforcement procedures, in Maine to make its law applicable to both men and women, in New York by making its law conform to the Federal Equal Pay Act, and in Rhode Island by deleting the exemption for persons under collective bargaining agreements.

Debt pooling. New Mexico and Texas prohibited the business of debt pooling with the exception of certain persons or groups such as attorneys or certain nonprofit corporations. Colorado passed a law to regulate such business, requiring a debt pooler to obtain a license, post a bond, and meet other requirements. A Michigan amendment removed from its law regulating debt management the exemption for nonprofit religious, fraternal, or cooperative organizations. A related Oregon law prohibited any person from advertising the availability of debt consolidation, unless the person is a licensed debt consolidating agency or authorized by law to engage in the business of lending money.

Wage garnishment. Connecticut, Oregon, Tennessee, and Wisconsin increased the amount of wages exempt from garnishment, with Oregon extending its exemption for the first time to persons without dependents. Colorado and Maine amendments prohibited wage garnishments until after judgment.

Workmen's Compensation.--Over 200 amendments to workmen's compensation laws were made in 1965 in 43 States and Puerto Rico, covering all phases of the subject.

California and Oregon provided for extensive reorganization of the administration of their laws. California divided the former function of the Industrial Accident Commission between the Administrative Director of the Division of Industrial Accidents and a Workmen's Compensation Appeals Board. Oregon created a State Compensation Department to replace the Industrial Accident Commission. The Department will operate as a separate insurance company. For the first time private insurance carriers, as well as self insurers, will be permitted to underwrite workmen's compensation in this State. A Workmen's Compensation Board will regulate all workmen's compensation insurance, supervise accident prevention and rehabilitation activities, and determine permanent disability ratings.

Twenty-five States increased maximum benefits for temporary total disability, the most usual type of disability. Now 15 States, the District of Columbia, and two Federal programs pay maximum benefits of \$60 or more a week. Another seven States pay maximums between \$55 and \$60.

A number of these 25 States also raised benefits for some or all other types of disability or death. Among these, Alaska liberalized its base for those employed less than 27 weeks when they are injured, Michigan extended temporary total and permanent partial benefits for the period of disability rather than 500 weeks, and Maine changed from a specified dollar maximum to two-thirds of the average weekly wage in the State. Florida, Idaho, and Michigan repealed their prohibitions against payment of partial disability in case of asbestosis or silicosis or (in Michigan) other dust diseases.

Medical benefits, rehabilitation benefits, and burial allowances were also increased in a number of States. As to medical, Maryland provided for additional benefits beyond the maximum of \$12,500 in cases of a serious permanent partial disability. South Dakota removed its 20-week limitation, retaining its initial limitation of \$1,700, but permitting the Industrial Commissioner to authorize additional care to a maximum of \$20,000 instead of the former \$2,900. Michigan deleted its provision specifying that benefits beyond 6 months could be extended only for an additional 6-months' period. New Mexico increased the initial amount of benefits to \$5,000 and permitted the district court to extend benefits to \$25,000. In West Virginia, while the initial amount is limited to \$3,000, the administrative agency may now authorize additional benefits without limit. At present all but 10 States provide unlimited medical benefits.

Additional rehabilitation services were provided for in some States, including a provision in Michigan specifying that an injured worker shall be entitled to prompt medical rehabilitation

services and, when necessary, vocational rehabilitation services also. The worker may also receive additional payments for transportation or for any other extra expense during the period of rehabilitation. Utah raised benefits for rehabilitation and training, and Nevada specifically authorized cooperative agreements with the State Board of Vocational Education for rehabilitation of injured workmen. California provided that the administrative director may set up a rehabilitation unit to foster, review, and approve rehabilitation plans initiated by the employer or insurance carrier, and also provided that the injured worker would receive \$52.50 weekly for up to 26 weeks as an advance on his permanent disability award while undergoing rehabilitation.

Of the several States increasing burial allowances, Illinois, Michigan, Minnesota, and New Mexico went up to a maximum of \$750, while Delaware eliminated its former maximum of \$700, authorizing, instead, payment of any reasonable amount.

The waiting period was reduced in five States, so that injured workers in these States receive benefits from the first day of disability. Colorado reduced from 6 to 3 weeks the period the disability must last for the employee to recover benefits from the first day; in Maine this period was reduced from 21 to 14 days; in Michigan and New York, from 4 to 2 weeks, and in Utah from 28 to 21 days.

Eight States liberalized the time periods for filing claims for benefits--for dust diseases in New York, occupational diseases in New Hampshire and New Mexico, radiation diseases in Minnesota, Montana, and Vermont, and for any injury in Maine and Massachusetts.

A few States made provision for special funds to help pay certain benefits. Colorado established a Medical Disaster Insurance Fund to pay medical expenses in excess of those provided in the law, up to \$35,000 in any one case. Michigan created a Silicosis and Dust Disease Fund to reimburse any employer or insurance carrier who has paid more than \$12,500 in benefits due to dust diseases. Minnesota permitted the employer or insurer in cases of subsequent injuries to be reimbursed for all compensation from the Special Fund in excess of 26 weeks of cash benefits and \$1,000 in medical expenses. Washington provided for payment of necessary transportation expenses of an injured worker out of the Medical Aid Fund. And Rhode Island authorized the Director of Labor to continue payments of totally incapacitated persons out of the Second Injury Indemnity Fund when a carrier or employer is no longer in business.

A great number of the amendments related to coverage of the various laws. Oregon provided for compulsory coverage for the first time, rather than elective as before. New Hampshire and Maine reduced their numerical exemption; the New Hampshire law now applies to employers of two or more and the Maine law to those employing four or more. In Michigan the law was made applicable to employers of one or more persons working for 35 hours or more a week for at least 13 weeks during the preceding year; in addition certain agricultural workers were covered. Maine covered

all agricultural employment other than seasonal, and Iowa specifically permitted domestic and casual employment to come under voluntary coverage for the first time. Missouri, by deleting its exemption for casual workers, now also covers this group of workers.

A few States added coverage for specified public officials. For example, Missouri covered employees of the Division of Welfare and provided that certain county courts may elect coverage. Oklahoma included garbage and sanitation departments and fire departments, and authorized coverage of State public libraries and certain employees in the Department of Public Safety. North Dakota added appointed officials of the State and political subdivisions. Nevada added regular and volunteer firemen, under certain conditions, to its occupational disease act. New York added all elected and appointed public officers of the State, as well as county fire coordinators. North Carolina added firemen; Wisconsin, deputy sheriffs, traffic policemen, and investigators in the Attorney General's office; and Texas and Vermont, elected or appointed executive officers of a corporation. Wyoming provided coverage for certain domestic aircraft pilots and flight personnel, and Pennsylvania for a member of the National Guard disabled during a civil emergency.

Certain States added to their list of covered occupational diseases. For instance, asbestosis was added in Montana, tuberculosis resulting from the care of patients in hospitals in South Dakota, disability due to ionizing radiation in South Dakota, tenosynovitis of the hand or arm in Vermont, and coal miners' pneumoconiosis in Pennsylvania.

Other Laws.--Michigan completely reorganized its executive and administrative agencies of the State government, designating the Department of Labor as a principal Department, to be headed by a Director appointed by the Governor with the advice and consent of the Senate. Alabama created the Governor's Committee on Employment of the Handicapped to maintain a program to stimulate Statewide interest in the employment of the handicapped. Massachusetts and New York extended for additional periods of time their laws authorizing relaxation of certain labor laws during emergencies.

Studies.--Numerous studies were authorized to be made, touching upon many different phases of labor and related laws. For instance, studies were authorized on discrimination of older workers in California and New York, on student dropouts in New Jersey, on the need to provide jobs for entrants into the labor market in New York, on conditions of work of women and minors in Ohio, on discrimination because of sex in Missouri, on equal job opportunities in Oklahoma, on minimum wage laws in Wisconsin, on migratory workers in Massachusetts, Michigan, and New York, and on workmen's compensation in Massachusetts, New Jersey, Oklahoma, Oregon, and Texas.



Federal Legislation.--A considerable number of labor and related laws were passed by the Congress in 1965, including laws involving labor standards, manpower, unemployment and underemployment, training and retraining, and education.

A Service Contract Act provided labor standards protection for employees of contractors and subcontractors furnishing services to Federal agencies, including a requirement that employees must be paid prevailing wages, which must not be less than the minimum wage under the Fair Labor Standards Act. The act is very similar to the Davis-Bacon Act, but applicable to service employees rather than construction workers. The Davis-Bacon Act itself was made to apply to practically all the numerous acts providing for construction in connection with various projects for economic improvement or worker training.

The Manpower Act of 1965 authorized the Secretary of Labor to conduct research on manpower problems by making grants and entering into contracts for experimental and developmental projects in connection with the unemployed who have problems in getting jobs; the act included provision for on-the-job training. Training was also the subject of several other amendments and acts. For instance, among the amendments to the Economic Opportunity Act of 1964 was the authorization for special programs directed to the needs of those unable to secure employment or training under other programs.

Grants-in-aid were authorized for most of the programs. These included the establishment and operation of regional medical programs and of community health centers for the mentally retarded; assistance to those engaged in the arts and the humanities; dissemination of the findings of science and technology; the sponsoring of industrial workshop and training programs; the construction of nonprofit workshops and rehabilitation facilities and the training of the handicapped in such facilities (including provision for paying allowances to such persons while in training); the training and education for the deaf to prepare them for successful employment; and assistance in augmenting the quality of education at medical, dental, and related schools. The Older American Act was passed to stimulate more effective use of existing resources and services for the aging, including grants for community planning in this connection.

A program was also set up to provide economic development programs and public works, as well as vocational schools, in Appalachia.

General Federal assistance to elementary and secondary schools was provided for the first time, and the Higher Education Act was amended to provide for matching funds to aid college community service programs designed to reduce problems in such areas as housing, unemployment, transportation, and health.

The Public Works and Economic Development Act of 1965 authorized grants to acquire and develop land for public service or development facilities in redevelopment areas, specifying that the grants must

create employment opportunities to benefit the long-term unemployed and low-income families. The act specifies that certain areas experiencing severe job losses due to an emergency must be designated as such areas.

The amendments to the Economic Opportunity Act of 1964 included authorization for programs to benefit migratory and other seasonal agricultural workers. Domestic agricultural migratory workers also benefited by the extension of the act providing health services for them, including, for the first time, provision for short-term hospital care.

Federal prisoners may be permitted to leave prison for certain periods of time to work or to participate in community training programs under another act.

Related acts included a Voting Rights Act granting to all citizens of the country the right to be free from voting qualifications that would deny or abridge the right to vote because of race or color. A new amendment to the Immigration and Naturalization Act repealed the former quota system and provided for admission of immigrants whose profession or abilities would benefit the United States. Changes were made in the Social Security Act, including a 7 percent increase in the Old-Age, Survivors and Disability Insurance benefits; the major change, however, was the addition of the so-called "Medicare" provisions setting up two related health insurance programs for persons 65 years of age or over.

## ALABAMA

(Regular Session: 5/4/65--8/26/65)

(First Special Session: 2/10/65--4/30/65)

(Second Special Session: 9/10/65--9/23/65)

### OCCUPATIONAL SAFETY AND HEALTH

Ch. 168 (Approved and effective 4/5/65). Requires that industrial quality eye-protective devices be worn by all public school teachers, students, and visitors when participating in certain courses that require the use of specified hazardous substances, equipment, or processes. Requires school authorities to supply the devices free of charge.

### PRIVATE EMPLOYMENT AGENCIES

Ch. 224 (Approved and effective 4/27/65). Requires agency operators to obtain an annual license from the Department of Revenue. Sets \$50 fee; makes certain requirements for applicants; and provides for revoking of the license for cause.

### WORKMEN'S COMPENSATION

Ch. 40 (Approved and effective 9/23/65).

Ch. 95 (Approved and effective 9/30/65). Permit certain public agencies to provide insurance equal to the State workmen's compensation benefits for death and disability, plus additional amounts for hospital and medical expenses up to \$10,000, for certain public employees who suffer work-connected injury or death. Ch. 40 provides for employees of the Department of Agriculture and Industries, and Ch. 95, the USS Alabama Battleship Commission.

Ch. 407 (Approved and effective 8/16/65). Authorizes the Director of Industrial Relations to permit two or more employers to pool liabilities to qualify as self-insurers.

### MISCELLANEOUS

Ch. 220 (Approved and effective 8/10/65). Creates the Governor's Committee on Employment of the Handicapped to maintain a program for employment of the handicapped, to stimulate State-wide interest, and to cooperate with all public agencies.

# ALASKA

(Regular Session: 1/25/65--4/9/65)

## DISCRIMINATION IN EMPLOYMENT

Ch. 117 (Approved 5/7/65; effective 5/8/65). Reenacts a combined fair employment practice-age discrimination law. Adds prohibited practices by an employer or employment agency in connection with advertisements, application forms, or preemployment inquiries that express limitation or discrimination because of age, race, creed, color, or national origin. Permits the Commission on Human Rights to order that a person be hired, reinstated, or upgraded, restored to union membership, or admitted to a training program. Makes the Commission the administrative agency responsible for the combined law. Formerly, the Commission had dual jurisdiction with the Department of Labor. Includes equal pay provisions similar to those in existing equal pay law.

## INDUSTRIAL RELATIONS

S.J. Res. 52 (Adopted 3/29/65). Requests the Congress of the United States to repeal section 14(b) of the Federal Labor Management Relations Act of 1947.

## STATE DEPARTMENT OF LABOR

Ch. 71. See Training and Retraining.

Ch. 117. See Discrimination in Employment.

## TRAINING AND RETRAINING

Ch. 71 (Approved 4/14/65; effective 7/1/65). Authorizes the Departments of Labor and of Education to administer manpower development and training programs, in order to participate in programs under the Federal Manpower Development and Training Act of 1962.

## WAGE PAYMENT AND WAGE COLLECTION

Ch. 36 (Approved 3/24/65; effective 90 days after approval). Raises from \$750 to \$2,500 the maximum amount of a wage claim that the Department of Labor may accept for collection.

## WORKMEN'S COMPENSATION

Ch. 24 (Approved 3/16/65; effective 3/17/65). Includes in the provision for additional disfigurement compensation, disfigurement of exposed parts of the neck or limbs likely to handicap the employee in future employment.



## Alaska

Ch. 75 (Approved 4/14/65; effective 4/15/65). Changes the base for computing the employees' average weekly wages for the purposes of the act: uses the weekly wage at the time of the injury for those employed 27 weeks immediately prior to the injury in the same or similar work, and 1/52 of the most favorable annual wage in a preceding 3-year period for less than 27 weeks instead of an annual average of the year preceding the injury. Specifies that such computations for apprentices and trainees (as for minors) take into consideration increases in future earnings.

Ch. 76 (Approved 4/14/65; effective 7/1/65). Increases from three to five the membership of the Workmen's Compensation Board. Creates a southern and a northern panel of three members each to include the Commissioner of Labor (to act as chairman on each panel), and a representative of industry and of labor to be appointed by the Governor.

## ARIZONA

(Regular Session: 1/11/65--4/20/65)

### DISCRIMINATION IN EMPLOYMENT

Ch. 27 (Approved 4/1/65; effective 7/20/65). A civil rights act. Prohibits specified discriminatory practices by employers, labor organizations, or employment agencies, if based on race, sex, religious creed, color, national origin, or ancestry. Relates to such practices in hiring, conditions of employment, union membership, advertising, or preemployment inquiries. Exemptions include employers of less than 20 employees.

Creates a seven member Civil Rights Commission with authority to participate in the programs of the U. S. Equal Employment Opportunity Commission; to adopt regulations; and to establish educational programs. Requires the Commission to receive and to investigate complaints, to attempt to conciliate disputes and, if such efforts fail, to hold hearings and to issue cease-and-desist orders. Directs a Commission member or the complainant to file suit for enforcement following a complaint against the same person.

## ARKANSAS

(Regular Session: 1/11/65--3/11/65)

(First Special Session: 5/24/65--6/8/65)

### INDUSTRIAL RELATIONS

H. Res. 5-X (Adopted 5/26/65). Urges the Congress of the United States to oppose repeal of section 14(b) of the Federal Labor Management Relations Act of 1947.

## Arkansas

### OCCUPATIONAL SAFETY AND HEALTH

Act 48 (Approved 2/12/65; effective 6/9/65). Requires that industrial quality eye-protective devices be worn by all students and teachers in all public schools and colleges when participating in certain courses that require the use of certain hazardous substances, equipment, or processes. Authorizes a board of education either to furnish such devices free, to sell or rent them, or to require students and teachers to furnish their own.

Act 549 (Approved 3/24/65; effective 6/9/65). Adds air storage vessels in service stations and garages to the exemption for unfired pressure vessels from the inspection and installation-permit requirements of the boiler inspection law. Specifically requires that all such vessels be constructed in compliance with the appropriate regulations.

### WORKMEN'S COMPENSATION

Act 54 (Approved and effective 6/10/65). Raises weekly benefits for disability or death from \$7-\$35 to \$10-\$38.50; and the maximum total benefits from \$12,500 to \$14,500. Requires full medical costs in compensable hernia cases (formerly limited such compensation to \$500).

## CALIFORNIA

(Regular Session: 1/4/65--6/18/65)

(First Special Session: 6/25/65--7/6/65)

(Second Special Session: 9/20/65--11/4/65)

### AGRICULTURAL WORKERS

Ch. 1185 (Approved 7/14/65; effective 9/18/65). Prohibits until September 17, 1967 discriminatory practices in the employment of agricultural workers housed on the land where they are employed, which employment begins after September 18, 1965.

Ch. 1222 (Approved 7/14/65; effective 9/17/65).

Ch. 1274 (Approved and effective 7/15/65). Ch. 1274 authorizes the Division of Housing in the Department of Industrial Relations to adopt regulations relating to sanitation and construction of housing for migratory labor, repealing former statutory standards. Specifies that all regulations adopted by the Division be retained until amended or repealed. (Such regulations were adopted by the Division on July 26, 1965.) Ch. 1222 abolishes such Division of Housing and transfers its functions to a new Department of Housing and Community Development (to operate until 90 days after the 1969 regular session), whose duties include assisting any local agency to develop housing and to sponsor federally financed housing for farmworkers and for certain others. (Repeals the 1964 law authorizing the Department of Finance to offer such assistance.)

Ch. 1417 (Approved 7/15/65; effective 9/17/65). Requires every employer to install sanitary and handwashing facilities at the site of field activity in food crops where five or more employees work in a group for 2 or more hours. Requires one unit for each 40 persons, to be located within a 5-minute walk of the place of work, to be properly equipped, and to be maintained in a clean and sanitary condition. Places primary responsibility for enforcement on local health officers, authorizing the Departments of Public Health, Industrial Relations, and Agriculture to assist in the enforcement.

A. J. Res. 1 (Adopted 3/16/65). Memorializes the Congress to enact a national minimum farm wage equal to the highest State-wide minimum farm wage paid in the 48 contiguous States.

A. Con. Res. 71 (Adopted 5/21/65). Requests institutions of higher learning in the State to increase existing and initiate new training programs relating to techniques of personnel recruitment and management in farm employment.

#### APPRENTICESHIP

Ch. 676 (Approved 6/15/65; effective 9/17/65). Specifies that any person who has reached the age of 18 shall be deemed an adult for the purpose of entering into an apprenticeship agreement.

Ch. 677 (Approved 6/15/65; effective 9/17/65). Prohibits charging apprentices for instruction in any school district under an apprenticeship agreement.

Ch. 860 (Approved 7/6/65; effective 9/17/65). Prohibits charging nonresident apprentices in State junior colleges for supplemental courses under apprenticeship agreements.

Ch. 1449. See Discrimination in Employment.

#### CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 1144. See Training and Retraining.

#### DISCRIMINATION IN EMPLOYMENT

Ch. 1449 (Approved 7/16/65; effective 9/17/65). Amends the apprenticeship law to ban discrimination in any recruitment or apprenticeship program based on race, creed, or national origin. (Discrimination in apprenticeship is not specifically banned by the State fair employment practice act.)

## California

### HOURS OF WORK

Ch. 460 (Approved 6/1/55; effective 9/17/65). Provides that clinical laboratory bioanalysts and surgical technicians or inhalation therapists in hospitals may work beyond 8 hours a day or 48 hours a week during an emergency, if one and one-half times the employee's regular rate is paid for hours over the maximum.

### INDUSTRIAL HOMEWORK

Ch. 430 (Approved 5/29/65; effective 9/17/65). Sets annual fees for license renewal for employers of industrial homeworkers from \$50 to \$150, depending upon number of homeworkers during previous year. Retains the \$50 fee for initial license.

### INDUSTRIAL RELATIONS

Ch. 1277 (Approved 7/15/65; effective 9/17/65). Repeals the 1941 hot cargo and secondary boycott law (declared unconstitutional by the State Supreme Court in 1947).

Ch. 1899 (Approved 7/17/65; effective 9/17/65). Provides for the creation of a unified Orange County transit district. Requires such district to grant employees the right to bargain collectively on wages, hours, and working conditions. Requires existing labor contracts to be honored. Specifies procedures for representation, conciliation, and arbitration. Includes non-discrimination requirements. Permits check-off of union dues.

### MIGRATORY WORKERS

Ch. 251 (Approved 5/10/65; effective 9/17/65). Amends the vehicle code to require side windows in the passenger compartment of trucks used to transport farmworkers.

Ch. 570 (Approved 6/8/65; effective 9/17/65). Permits an applicant for a farm labor contractor license to deposit \$1,500 in lawful money with the labor commissioner in lieu of a bond.

Ch. 1191. (Approved 7/14/65; effective 9/17/65). Raises from \$25 to \$50 the annual license fee for farm labor contractors.

Ch. 1222, 1274, 1417. See Agricultural Workers.

Ch. 1576 (Approved and effective 7/16/65).

Ch. 1801 (Approved and effective 7/17/65). Ch. 1576 enables the State to get Federal funds under the Economic Opportunity Act of 1964 to provide services for migratory farmworkers. Ch. 1801 authorizes the Governor to appoint a five-member Local Applications Advisory Board to review applications for such programs.



## California

Ch. 1978 (Approved 7/17/65; effective 9/17/65). Requires a farm labor contractor to post the wage rates of his employees at the job site and on all vehicles used to transport workers.

Ch. 1979 (Approved 7/17/65; effective 9/17/65). Prohibits a farm labor contractor from recruiting and transporting an employee for farmwork without a bona fide order for employment. Requires payment of wages and travel time at agreed rates when the contractor recruits and transports workers without an order and fails to provide employment.

### OCCUPATIONAL SAFETY AND HEALTH

Ch. 708 (Approved 6/17/65; effective 7/1/66). Requires all elevators equipped with photoelectric tube devices that control the closing of power-operated doors be equipped with a specified type of safety switch to make such device ineffective when actuated.

Ch. 1047 (Approved 7/12/65; effective 9/17/65). Requires the operator of an aerial passenger tramway to secure an annual permit from the Division of Industrial Safety certifying that employment sites are in safe condition. Requires annual inspection by the Division and provides for temporary permits under certain conditions.

Ch. 1891 (Approved 7/17/65; effective 9/17/65). Authorizes school boards or authorities to furnish and to require teachers, students, and visitors to wear industrial quality eye-protective devices when participating in specified courses that require the use of certain hazardous substances, equipment, or processes. Permits such devices to be sold at cost.

### OLDER WORKERS

H. Res. 104 (Adopted 2/9/65). Directs Citizens' Advisory Committee on Aging to study the requirements for certain public jobs and vocational and professional licensing that contain upper age limits to determine the reasons for such disqualifications. Requires the Committee to report its findings and recommendations to the next regular session of the legislature.

### PRIVATE EMPLOYMENT AGENCIES

Ch. 233 (Approved 5/8/65; effective 9/17/65). Raises the range of license fees for employment agency operators from \$25-\$100 to \$50-\$150, depending on the city population; and the fee for each branch office from \$25 to \$50.

Ch. 249 (Approved 5/10/65; effective 9/17/65). Authorizes the labor commissioner to issue a temporary certificate to certain persons to conduct an employment agency where the original licensee has died or been declared incompetent.

## California

Ch. 849 (Approved 7/6/65; effective 9/17/65). Provides that the law regulating private employment agencies shall not apply to management consultants who place persons in executive or professional positions when the positions involved pay at least \$15,000 per year and the applicants for the position are not charged a fee, and when the consultant is hired and compensated solely by the employer.

### STATE DEPARTMENT OF LABOR

Ch. 1222, 1274. See Agriculture Workers.

Ch. 1513. See Workmen's Compensation.

### TRAINING AND RETRAINING

Ch. 228 (Adopted 6/18/65).

Ch. 1144 (Approved 7/2/65; effective 10/4/65). Ch. 1144 continues the Youth Conservation and Training Program, established in 1963, as a 2-year demonstration project. Provides, as before, for enrollment of males 16 to 22 years of age on a 1-year basis in education, conservation, and work programs. Retains the authority of the State Forester in the Department of Conservation to make agreements with any agency of the Federal Government for financial support. Ch. 228 requests the Department to evaluate the State Youth Conservation Corps; to get comparable data on federally operated camps in the State; and to report to the legislature by September 1, 1966.

### WAGE PAYMENT AND WAGE COLLECTION

Ch. 329 (Approved 5/19/65; effective 9/17/65). Requires persons having no fixed place of business or residence in the State to deposit a surety bond or bank deposit certificate with the labor commissioner as security for at least 4 weeks of wages prior to employing any person in door-to-door selling or similar itinerant activity, or in telephone solicitation.

### WAGES--EQUAL PAY

Ch. 825 (Approved 7/6/65; effective 9/17/65). Strengthens the equal pay law. Requires employers to maintain records on such matters as wage rates and job classifications. Authorizes the Division of Industrial Welfare to act upon complaints including the right to inspect payrolls, compare the character of work, interview persons, and obtain other necessary information. Authorizes the Division to supervise payment of sums found due, and specifies that it may prosecute actions to recover unpaid wages, plus costs of suit. Removes a 30-day limitation on an employer's liability for unpaid wages. Lengthens statute of limitations from 6 months to 2 years if employee has no knowledge of violation and to 180 days if employee does have such knowledge.

WAGES AND HOURS--WOMEN AND MINORS

Ch. 686 (Approved 6/15/65; effective 9/17/65). Requires an employer who collects or receives gratuities given to or left by patrons for employees, or who deducts or credits gratuities against wages due, to post a notice stating that such gratuities are collected by him or the extent to which they are shared between employer and employees, whichever applies, and the extent to which employees are required to accept gratuities in lieu of wages or to credit them against wages.

WORKMEN'S COMPENSATION

Ch. 940 (Approved 7/9/65; effective 9/17/65). Specifies that in cases of highway patrol, police, and sheriffs' departments employees, the term "member" means peace officer as defined in the penal code. Deletes requirement that they must be employed under Civil Service.

Ch. 1000 (Approved 7/12/65; effective 9/17/65). Requires every contractor awarded a public works contract to file a certificate with the awarding body, prior to beginning the work, indicating he has secured workmen's compensation insurance.

Ch. 1513 (Approved 8/17/65; effective 1/15/66). Divides the authority of the Industrial Accident Commission. Places the administrative authority in the Division of Industrial Accidents, and the judicial authority in a newly created seven-member Workmen's Compensation Appeals Board. Authorizes the Division to set up a rehabilitation unit to foster, review, and approve and expedite rehabilitation plans. Permits employees to be paid \$52.50 a week as advance payments on permanent total disability benefits, as well as temporary disability benefits up to 26 weeks.

Ch. 1685(Approved 7/17/65; effective 9/17/65). Provides for disability and death benefits under workmen's compensation for enrollees under the Economic Opportunity Act of 1964. Specifies that if benefits under this chapter prevent enrollees from receiving other benefits under a Federal act, they shall not receive them under this act.

Ch. 1791 (Approved 7/17/65; effective 9/17/65). Excludes from coverage any person, other than a regular employee, participating in sports who receives no compensation except the use of sports equipment, transportation, meals, lodgings, or other expenses incidental thereto.

MISCELLANEOUS

Ch. 1025 (Approved 7/12/65; effective 9/17/65). Requires a bond for contractors who have violated the license law to secure wages and fringe benefits of employees, as well as to secure damages for fraud or violations of the law.

## COLORADO

(Regular Session: 1/6/65--5/13/65)

### CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 259. See Migratory Workers.

### DEBT POOLING

Ch. 70 (Approved and effective 6/2/65). Regulates the business of debt pooling. Requires any person in this business (with exceptions) to obtain a license, post a bond, pay a fee, and meet other requirements. Requires licensees to remit debtor's funds to his creditors within 2 workdays after receipt, and to maintain records open for inspection. Limits amount licensee may charge a debtor. Permits the administrator, after hearing, to deny, revoke, or suspend a license for cause.

### DISCRIMINATION IN EMPLOYMENT

Ch. 107 (Approved and effective 5/6/65). Changes the names of the Colorado Antidiscrimination Commission and Division to the Colorado Civil Rights Commission and Division.

### INDUSTRIAL RELATIONS

Ch. 209 (Approved 5/7/65; effective 7/1/65). Extends the Labor Peace Act to employees of mass transportation systems acquired by the State or its political subdivisions (such systems known as "authorities"). Requires the Industrial Commission to protect certain rights and benefits of employees of the authorities, including existing agreements and collective bargaining in process. Requires notice of intent to strike to be sent to the Industrial Commission, who shall immediately attempt mediation; however, when the Commission denies the right to strike and mediation fails, requires arbitration.

### MIGRATORY WORKERS

Ch. 259 (Approved 3/24/65; effective 7/1/65). Extends the meaning of migrant children for purposes of attending summer school to include children not able to attend the full school year because they were in the custody of a migrant farmworker.

### OCCUPATIONAL SAFETY AND HEALTH

Ch. 181 (Approved and effective 4/23/65). Designates the Department of Public Health as the radiation control agency, with authority including that of requiring licensing of radioactive materials and registration of other sources; conducting training programs, and inspecting sources. (Formerly registration of sources was subject to 1959 regulations).



STATE DEPARTMENT OF LABOR

Ch. 209. See Industrial Relations.

WAGES--WAGE GARNISHMENT

Ch. 207 (Approved and effective 4/8/65). Specifies that fees, wages, or commissions may not be garnisheed except for collection of a court judgment. Does not apply to tax collection.

WORKMEN'S COMPENSATION

Ch. 210 (Approved and effective 5/6/65). Raises from \$43.75 to \$49 the maximum weekly benefits for all types of disability. Raises from \$11,376 to \$12,740 the total benefits for permanent partial disability and from \$13,650 to \$15,288 the maximum amount payable in a lump sum for permanent total disability. Raises from \$10 to \$11.50 the minimum weekly benefits for disability and death. Raises the maximum weekly death benefits from \$43.75-\$54.25 to \$49.00-\$59.50, and the total death benefits from \$13,693.75-\$16,980.25 to \$15,337-\$18,623.50, according to the number of dependents. Reduces from 6 to 3 weeks the period the disability must last for the employee to recover benefits.

Raises from \$2,500 to \$3,500 the maximum medical benefits payable, and removes the necessity of requiring the Commission to determine the need for the extra \$1,000.

Amends the provision relating to reductions in workmen's compensation benefits if Federal Old-Age, Survivors, and Disability Insurance benefits are received, to specify that if the OASDI Act is amended to provide for a reduction of benefits because of workmen's compensation benefits, then the latter shall be increased by an equal amount.

Ch. 211 (Approved and effective 5/6/65). Amends the occupational diseases act. Raises the maximum weekly benefits from \$43.75 to \$49 for all types of disability resulting from occupational diseases. Increases the total maximum from \$13,693.75 to \$15,337 for total disability, and the maximum for death from \$13,693.75-\$17,215 to \$15,337-\$18,858.25, according to the number of dependents. Increases maximum weekly death benefits from \$55 to \$60.25. Increases from \$5,434.78 to \$10,192 the maximum benefits for two or more schedule injuries. Increases the number of weeks that benefits are payable for all schedule injuries.

Increases medical benefits as in Ch. 210.

Ch. 212 (Approved and effective 5/6/65). Establishes a medical disaster insurance fund to pay medical expenses in excess of those provided under the workmen's compensation or occupational diseases act. Limits awards in any one case to \$35,000, less any amount expended by the employer or insurance carrier. Provides that fund is to be administered by the Industrial Commission and financed by taxing workmen's compensation insurers, including self-insurers.

# CONNECTICUT

(Regular Session: 1/6/65--6/10/65)

## CHILD LABOR AND SCHOOL ATTENDANCE

Act 186 (Approved 6/15/65; effective 7/1/65). Authorizes the Labor Commissioner to permit minors 14 and over enrolled in an approved public school work-study program to be employed in specified establishments and industries where a 16-year minimum would otherwise apply.

## DISCRIMINATION IN EMPLOYMENT

Act 576 (Approved 7/1/65; effective 10/1/65). Authorizes the Commission on Civil Rights to subpoena employment records during the investigation of a complaint.

## INDUSTRIAL RELATIONS

Act 159 (Approved and effective 6/4/65). A municipal employee relations act. Grants municipal employees the right to engage in collective bargaining through representatives of their own choosing on wages, hours, and other conditions of employment. Prohibits such employees from striking. Permits check-off of union dues. Vests responsibility for administering this act in the State Labor Relations Board.

Exempts from coverage elected and administrative officials, board and commission members, certain supervisory personnel, certified teachers, and part-time employees who work less than 20 hours a week.

Establishes procedures for election by secret ballot when a question of representation exists, and for certification of the results. Prohibits an election in any bargaining unit in which a valid election has been held in the preceding 12 months, or, except for good cause, during the term of a written collective bargaining agreement. Establishes procedures for factfinding in cases involving grievances or disputes of any type.

Act 256 (Approved 6/15/65; effective 10/1/65). Makes it an unfair labor practice for an employer to require a job applicant or an employee to reveal his past or present status in a labor organization as a condition of employment.

Act 298 (Approved and effective 6/18/65). Grants all certified professional, administrative, and supervisory employees of boards of education (below the rank of superintendent) the right to select representatives by secret ballot to negotiate with boards of education on salaries and other conditions of employment. Requires the boards to confer in good faith and to execute a written contract if so requested by either party. Prohibits certain practices by boards of education. Prohibits strikes. Establishes procedures for mediation and arbitration.

## Connecticut

### TRAINING AND RETRAINING

Act 248 (Approved 6/15/65; effective 10/1/65). Directs the Labor Commissioner to establish a program of studies on the State's economy to determine manpower needs by occupation, industry, and the need for additional trained workers and to establish preemployment training programs to meet the needs of industry and the unemployed, using funds available under Federal programs. Directs the Commissioner to make annual reports and recommendations.

### WAGES--WAGE GARNISHMENT

Act 257 (Approved 6/15/65; effective 10/1/65). Increases the amount of wages exempt from garnishment after judgment, from \$25 to \$50 plus taxes per week. (The court sets the amount of the exemption in the first instance. If the debtor does not pay the amount ordered, amounts over \$50, formerly \$25, may be taken. The garnishment is a lien and a continuing levy until paid.)

### WORKMEN'S COMPENSATION

Act 353 and 354 (Approved 6/24/65; effective 10/1/65).

Act 485 (Approved 7/1/65; effective 10/1/65). Authorizes municipalities to contract for insurance to provide compensation, including medical treatment, for occupational diseases contracted by volunteer firemen. (Formerly only disabilities due to injuries were compensable.) Provides that total disability from an injury, as well as from an occupational disease, is compensable if the disablement occurs within 26 weeks of the accident.

## DELAWARE

(Regular Session: 1/5/65--2/1/66)

### HOURS OF WORK

Ch. 218 (Approved and effective 12/14/65). Repeals the law setting maximum hours of work for women, rest and meal periods, seats, ventilation, and other conditions of employment.

### INDUSTRIAL RELATIONS

Ch. 126 (Approved and effective 6/15/65). Grants to public employees the right to organize and to bargain collectively with the appropriate public employer on wages, hours, and other conditions of employment. Permits checkoff of union dues upon written authorization. Prohibits strikes.

Requires the Department of Labor and Industrial Relations to determine the bargaining unit and, after election, to certify the exclusive bargaining representative. Provides that matters in dispute, other than those involving wages and salaries, may be submitted by either party to the State Mediation Service, or by agreement of the parties, to arbitration. Specifies that merit

Delaware

or personnel systems established by law shall be followed.

Excludes elected officials, those appointed by the Governor, and professional employees of the State public school system.

WAGE PAYMENT AND WAGE COLLECTION

Ch. 19 (Approved 3/30/65; effective 9/27/65). A wage payment and wage collection law. Requires every employer to pay wages on regular paydays at least once each month in lawful money or by checks on banks convenient to the place of employment. Sets a maximum 7-day holdover period.

Requires payment of wages immediately to those who are discharged or quit with one pay period's notice, and on the next regular payday to those off the job because of a labor dispute or those who quit without notice.

Requires employers of over three to notify each employee, in writing or through posted notice, of the rate of pay and other conditions of work, the time and place of payment, and of any changes in these arrangements. Requires the employer to furnish each employee with a wage statement each payday.

Specifically authorizes the Department of Labor and Industrial Relations to take assignments of wage claims and to bring action for collection.

WAGES AND HOURS--ALL WORKERS

Ch. 18 (Approved 3/30/65; effective 9/26/65). A minimum wage law. Establishes a minimum rate of \$1 an hour applicable to men, women, and minors. Exempts employees in certain occupations including those in agriculture; domestic service in a private home; executive, administrative, or professional capacities; fishing, canning, or packing of seafood at sea; and commission-paid outside sales jobs (not route drivers).

Authorizes the Department of Labor and Industrial Relations to enforce and administer the laws. Requires the Department to consult with a tripartite advisory board on regulations and specifies that the board is to serve "at the pleasure of" the Department. Provides allowances for employers of employees who customarily receive gratuities, the amount to be determined by the Department, upon application of the employer. Requires employers to maintain wage and hour records and keep such records available for inspection for at least 3 years. Permits the Department to take assignments of wage claims and to take legal action for the collection of such claims.

WORKMEN'S COMPENSATION

Ch. 83 (Approved and effective 5/24/65). Permits the Industrial Accident Board to approve payment of reasonable burial expenses in excess of \$700, instead of the former payment of \$700.



# DISTRICT OF COLUMBIA

## DISCRIMINATION IN EMPLOYMENT

Order No. 65-768 (Commissioner's Police Regulation. Issued 6/10/65; effective 7/2/65). Prohibits specified discriminatory practices by employers, labor organizations, or employment agencies, if based on race, color, religion, national origin, or sex. Exempts domestic service and public employment.

Designates the existing Commissioners' Council on Human Relations as the administrative agency. Specifies that matters relating to uncorrected practices may be referred to the Corporation Counsel for civil or criminal enforcement proceedings.

## FLORIDA

(Regular Session: 4/6/65--6/4/65)

## AGRICULTURE

H. 2007 (Approved 6/3/65; effective 8/4/65). Authorizes the housing authorities of specified counties to acquire certain labor camp projects from the Federal Government, and to operate, and to give first preference for occupancy to low-income agricultural workers.

## CHILD LABOR AND SCHOOL ATTENDANCE

S. 1226 (Law without approval; effective 6/25/65). Specifically permits children of any age to be employed by motion picture or television studios, or legitimate theaters, in any work determined by the Florida Industrial Commission not to be hazardous or detrimental to their health, morals, education, or welfare. Requires the Commission to set standards for such employment.

## INDUSTRIAL RELATIONS

H. 966 (Law without approval 6/25/65; effective 7/1/65). Requires an individual who wishes to act as a business agent for a labor organization to submit a full set of fingerprints with his application for a license, but exempts business agents already holding valid licenses on July 1, 1965.

H. 1368 (Law without approval 6/25/65; effective 10/1/65). Prohibits any person from soliciting any form of advertising in the name of a labor organization, or any person from holding out to the public that he officially represents a labor organization, without written permission from such organization.

## MIGRATORY WORKERS

H. 900 (Law without approval; effective 6/25/65). Establishes comprehensive standards for vehicles used to transport migratory

## Florida

farmworkers. Makes any person who transports farmworkers responsible for compliance with the standards and for maintenance of such vehicles, except family groups, or the owner or manager of the crops or a full-time employee of such owner or manager.

### OCCUPATIONAL SAFETY AND HEALTH

S. 208 (Approved and effective 5/27/65). Authorizes the State Fire Marshal to issue rules and regulations for the intra-state transportation of radioactive materials by private carriers. Directs him to investigate the cause of accidents involving radioactive materials and to inspect transportation facilities at least once each year.

Requires any person or organization servicing or recharging portable fire extinguishers to be licensed annually.

H. 508 (Law without approval; effective 6/25/65). Requires that eye-protective devices meeting the standards of the American Standards Association be worn by teachers, students, and visitors when participating in certain courses that require the use of specified hazardous substances, equipment, or processes. Permits boards of education to furnish such devices and to sell them at cost to students and teachers, but requires that boards furnish the devices for visitors.

### PRIVATE EMPLOYMENT AGENCIES

H. 913 (Approved 6/8/65; effective 7/1/65). Requires a private employment agency licensee to be responsible at all times for the good conduct of his employees, to get administrative approval prior to changing the name of any agency, and to display the license conspicuously. Prohibits an agency from using a name similar to that of a public office or agency.

Repeals the provision prohibiting a theatrical employment agency from requiring an employer to post bond to secure salaries unless such bond was approved by and made payable to the Secretary of State. Permits the Secretary to designate a six-member advisory committee representative of the employment agencies to make recommendations on the operation and regulation of such agencies.

### TRAINING AND RETRAINING

S. 1182 (Adopted 6/2/65). Petitions the President to urge the Office of Economic Opportunity to approve the State's request to establish an Urban Job Corps Training Center, under the Economic Opportunity Act of 1964, to upgrade employment skills among male dropouts at Camp Blanding, Florida, and to serve Florida, Georgia, and Alabama.

## Florida

### WORKMEN'S COMPENSATION

S. 397 (Law without approval 5/25/65; effective 7/1/65). Adds anomalies to the section relating to compensation for acceleration or aggravation of a preexisting disease, and provides that apportionment in such cases shall be limited to permanent disability or death.

H. 241 (Law without approval 5/19/65; effective 7/1/65). Repeals a 1945 provision prohibiting compensation for partial disability from silicosis and asbestosis, and the transitory provisions limiting benefits for these two diseases.

H. 432 (Law without approval 5/25/65; effective 7/1/65). Provides that in cases of permanent partial disability other than schedule injuries or disfigurement, the term "disability" means either physical impairment or diminution of wage earning capacity, whichever is greater.

## GEORGIA

(Regular Session: 1/11/65--3/12/65)

### OCCUPATIONAL SAFETY AND HEALTH

Act 297 (Approved and effective 3/30/65). Amends the Georgia Health Code. Authorizes the Department of Public Health to enter into cooperative agreements with Federal or State Governments, or interstate agencies, to make inspections and perform other functions related to the control of ionizing radiation.

Repeals the section that authorized the Department to require persons possessing or using a source of ionizing radiation to furnish employees with personal exposure records annually or upon termination of employment, or at any time of excessive exposure.

## HAWAII

(Regular Session: 2/17/65--6/29/65)

### CHILD LABOR AND SCHOOL ATTENDANCE

Act 245 (Approved and effective 7/9/65). Extends from June 30, 1965 to June 30, 1967 the expiration date of the Labor Director's authority to permit minors under 14 to work outside of school hours in the harvesting of coffee under certain circumstances.

### HOURS OF WORK

H. Res. 216 (Adopted 4/28/65). Requests the Department of Planning and Economic Development to study the social and economic effects, including those on employment and income, of a workweek gradually shortened to 35 hours.

## INDUSTRIAL RELATIONS

Act 79 (Approved and effective 5/11/65). Limits an employer's request for an election to cases where he has "good faith doubt" that a union represents a majority of the employees.

Act 168 (Approved and effective 6/22/65). Prohibits a private or a public employer from requiring an employee to submit to a lie-detector test as a condition of employment.

## TRAINING AND RETRAINING

Act 23 (Approved and effective 5/5/65). Authorizes the Department of Education, in addition to the Department of Labor and Industrial Relations (formerly the only Department so authorized), to participate in the Federal Manpower Development and Training Act.

Act 270 (Approved and effective 7/12/65). Establishes the Advisory Commission on Manpower and Full Employment in the Department of Planning and Economic Development, replacing the Manpower Advisory Committee established by the Governor in 1963. Requires the Commission, among its duties, to identify the impact of technological and economic change on production and employment, including new job requirements and types of worker displacement, and to recommend administrative and legislative steps the State should take in promoting occupational training and skill development. Creates an interdepartmental committee consisting of the heads of the Departments of Agriculture, Education, Social Services, Labor and Industrial Relations, Planning and Economic Development, and the President of the University of Hawaii to advise the Commission.

Requires the Mayor of the city and county of Honolulu and the Chairman of the Board of Supervisors of each of the other counties to appoint a committee to develop plans for full employment.

S. Res. 18 (Adopted 3/3/65). Requests the Committee on Labor to make a study to utilize the technological revolution to benefit the people of Hawaii by making maximum use of human and natural resources through the development of training and other programs.

## WAGE PAYMENT AND WAGE COLLECTION

Act 77 (Approved and effective 5/11/65). Authorizes reciprocal agreements between Hawaii and other States for the collection of wage claims or judgments for wages.

## WAGES--PREVAILING WAGES

Act 198 (Approved 6/23/65; effective 6/28/65). Requires overtime pay on a daily basis only, instead of daily or weekly, whichever was greater.



Act 247 (Approved and effective 7/9/65). Provides for standards regulating wages, hours, and working conditions of employees of contractors supplying services, including ambulance and janitorial services, to government agencies under contracts in excess of \$5,000. Requires payment of wages or salaries at least equal to those paid public officers and employees for similar work. Requires compliance with Federal and State laws dealing with workmen's and unemployment compensation, payment of wages, and safety standards. Exempts managerial, supervisory, and clerical personnel. Also exempts contracts for supplies, materials, or printing, utility services, operation of concessions in public parks or food services to education institutions, and contracts with nonprofit institutions.

#### WAGES AND HOURS--ALL WORKERS

Act 67 (Approved and effective 5/11/65). Exempts from the wage-and-hour law house parents of child welfare homes operated by tax-free charitable organizations.

Act 85 (Approved 5/14/65; effective 8/1/65). Clarifies the overtime provisions of the wage-and-hour law. Defines "salary" to exclude the reasonable cost of board and lodging, and other facilities, but adds this cost to the "regular rate" for all overtime computation whether based on a weekly salary or some other pay period. Requires that for overtime purposes the total earnings for the pay period from the performance of two or more kinds of work by an employee for a single employer be considered as if one kind of work were performed. Makes the method of computing overtime the same for agricultural work as for other covered employment, except that the **premium** pay is applicable after 48 hours instead of after 40 during the exempt period (the exempt period means any 20 different weeks during the year that the agricultural employer may choose). Formerly the law did not specify that the various methods of computing the "regular rate" applied to agriculture..

Act 132 (Approved and effective 6/16/65). Requires employers to permit the Department's representative to interview employees at their places of employment during working hours. Specifically permits disclosure of information, secured during an inspection, to the Federal Wage and Hour and Public Contracts Divisions (as well as to the State officials as formerly).

Act 167 (Approved 6/22/65; effective 1/2/66). Excludes from coverage of the wage-and-hour law any individual employed at a guaranteed compensation totaling \$550 or more per month, rather than \$450.

#### WORKMEN'S COMPENSATION

Act 59 (Approved and effective 5/11/65). Requires an employer, within 30 days after final payment of compensation for

## Hawaii

an injury, to make a final report to the Director of Labor and Industrial Relations showing the total payments made, the date of termination of the temporary total disability, and such other information as the Director may require.

Act 106 (Approved and effective 6/3/65). Raises from \$7,000 to \$10,000 the maximum benefits for disfigurement.

Act 152 (Approved 6/17/65; effective 7/1/65). Raises maximum weekly benefits from \$75 to \$112.50 for permanent total and temporary total disability. Raises maximum weekly benefits from \$112.50 to \$168.75 for dependents in death cases.

Act 156 (Approved and effective 6/21/65). Specifies that the right of trial by jury shall be deemed to be waived unless claimed in the manner and within the time provided by the Hawaii Rules of Civil Procedure, rather than within 10 days from the date of appeal as formerly specified.

## MISCELLANEOUS

H. Con. Res. 20 (Adopted 4/20/65). Requests the Congress to amend all Federal laws, including the Sugar Act of 1948, to require compliance with the standards set by the Federal Fair Labor Standards Act, as a condition for granting subsidies to any industry or agricultural pursuit.

## IDAHO

(Regular Session: 1/4/65--3/18/65)

## DISCRIMINATION IN EMPLOYMENT

Ch. 154. See Older Workers.

## OLDER WORKERS

Ch. 154 (Approved 3/17/65; effective 5/18/65). Prohibits discrimination in employment against a person under 60 years of age solely because of his age, if he is qualified to perform the services required, except where based on a bona fide occupational qualification, a retirement or pension plan, or applicable security requirements.

Designates the Department of Labor as the administrative agency. Authorizes filing of complaints by aggrieved persons or by the Labor Commissioner, against an employer, a labor organization, an employment agency, or other person. Requires the Commissioner to hold hearings on complaints, to issue orders, and to make appropriate rules and regulations.

WAGES--PREVAILING WAGES

Ch. 202 (Approved 3/26/65; effective 5/18/65). Amends the prevailing wage law by requiring that fringe benefits, as well as minimum wage rates (as formerly), shall be paid laborers and mechanics employed under public contracts. Specifies that the Commissioner of Labor shall determine such benefits.

WAGES--PUBLIC WORKS

Ch. 28 (Approved and effective 2/17/65). A public contracts bond act. Requires any contractor on a State or local public works project to furnish performance and payment bonds in an amount to be fixed by the contracting agency but not less than 50 percent of the contract amount, the performance bond being for the protection of the public agency awarding the contract and the payment bond being for protection of workers who perform labor under the contract.

Gives person who has supplied materials or performed labor a direct right of action against public agency which fails to obtain the required bond from the contractor for any payment due. Specifies that such action shall be brought within 1 year after the furnishing of materials or labor.

**Repeals** prior provisions requiring the furnishing of payment bonds for protection of laborers where contract price exceeds \$200.

WORKMEN'S COMPENSATION

Ch. 118 (Approved 3/15/65; effective 7/1/65). Increases weekly maximum death benefits from \$20-\$30 to \$25-\$40, depending upon the number of dependents, and increases from \$12-\$15 to \$15-\$20 the minimum death benefits. Increases from \$12,000 to \$16,000 the aggregate maximum benefits payable on account of any accidental personal injury resulting in death.

Ch. 152 (Approved 3/17/65; effective 7/15/65). Amends the silicosis provisions of the occupational disease compensation law. For example, provides for proration of liability among employers in whose employ the claimant was injuriously exposed during a 12-year period prior to disablement; formerly liability fell on last employer only.

Provides for compensation for partial disability in silicosis cases, formerly disallowed. Deletes the provision that exposure for 5 years is a prerequisite to recovery of compensation (but sets a 2-year limitation if part of the exposure was out of the State) and that disability must occur within 2 years after the last exposure.

Repeals provisions permitting waiver of full compensation by employees with nondisabling silicosis or for aggravation of the condition caused by continuing in the hazardous occupation, and permitting the payment of up to \$750 compensation for support money pending change of employment for employees who have quit or been discharged because of nondisabling silicosis.

Ch. 25 (Approved 3/29/65; effective 5/18/65). Exempts from workmen's compensation coverage the working member of a partnership.

## ILLINOIS

(Regular Session: 1/6/65--7/1/65)

### DISCRIMINATION IN EMPLOYMENT

H. 358 (Approved 6/8/65; effective 7/1/65). Specifies that nothing in the State fair employment practice act precludes an employer from giving or acting upon the results of any professionally developed ability test, provided it is not used to discriminate.

H. 902 (Approved 6/8/65; effective 7/1/65). Authorizes the Fair Employment Practice Commission to permit the utilization of its agency and employees by the Federal Equal Employment Opportunity Commission in the investigation of charges over which Illinois has jurisdiction, and to accept reimbursement therefor. Authorizes contractual agreements with Federal agencies, including cooperative agreements under which the Federal Equal Employment Opportunity Commission shall refrain from processing charges in certain cases in the State. (Such agreements were contemplated by the Civil Rights Act of 1964.)

### MIGRATORY WORKERS

H. 1342 (Approved 8/2/65; effective 1/1/66). Requires operators of migrant labor camps which are open less than 21 days a year to obtain a license from the Department of Public Health. Retains licensing requirement for camps operating 21 days or more a year. Specifies that the statutory health and sanitation standards are minimum only. Redefines migrant labor camp to mean living quarters for ten or more migrant workers or four or more families with migrant workers, rather than living quarters for ten or more seasonal or temporary migrant workers and their dependents.

### OCCUPATIONAL SAFETY AND HEALTH

S. 672 (Approved 8/17/65). Creates an 11-member Commission on Atomic Energy, and provides that the heads of various State departments, including the Department of Labor shall serve as ex-officio members.

Requires the Commission to investigate and study the economic and social impact of the peaceful use of atomic energy, radioactive materials, and radiation. Requires the Commission to submit a report and recommendations for legislation to the Governor and the General Assembly before April 1, 1967

S. 1190 (Approved 8/4/65). Requires every student, teacher, and visitor in schools, colleges and universities, to wear approved eye-protective devices when participating in or observing certain vocational or industrial arts shops or laboratories. Provides that such devices may be furnished to all students, and must be furnished to all visitors.



TRAINING AND RETRAINING

H. 1162 (Approved 8/6/65). Authorizes the superintendent of public instruction to enter into agreements with public and private welfare, education, or other agencies, other than the public schools, to provide education or training for adults and youth whose schooling has been interrupted.

Requires the superintendent of public instruction to determine the cost of such instruction, including such incidentals as student transportation, facilities, or provisions for child care for students who are parents, and other special needs of the students.

H. 1167 (Approved and effective 7/8/65). Amends the Public Assistance Code to provide that programs and training furnished to public assistance recipients shall be designed to improve their work habits and skills, when no immediate jobs are available, and training and experience when they lack the skills required for employment opportunities that are or may become available. In addition, directs the Public Aid Commission to initiate, promote, and develop service and training projects which will provide public and nonprofit community agencies with personnel whose services cannot be financed from other resources. Such programs shall include, but not be limited to, the maintenance of or services in connection with public offices, buildings, and grounds, parks and playgrounds, streets and highways, hospitals, and similar projects. Eliminates the requirement that programs be established on a local basis.

Authorizes the Commission to establish equitable wage rates on a statewide, regional, or local basis.

Provides that money available for general assistance purposes may be used to purchase workmen's compensation insurance, to pay workmen's compensation claims, and to provide transportation to and from work sites.

H. 1310 (Approved and effective 8/18/65). Creates a 15-member Commission (to serve until 7/1/67) to study the economic and social effects of automation and technical changes on industry, commerce, farms, labor market, and society, and on employment, training, and retraining.

Requires the Commission to make a report to the legislature by January 7, 1967, which may include proposed legislative recommendations.

WAGES AND HOURS--WOMEN AND MINORS

S. 982 (Effective 8/24/65). Amends Secs. 5 and 13 of the present Minimum Fair Wage Standards for Women and Minors Act, to remove wording made obsolete by the new Judicial Article (as reported in the Illinois Labor Bulletin, Second Quarter 1965, Vol. 26, No. 2).

WAGES--MISCELLANEOUS

H. 1167. See Training and Retraining.

## Illinois

### WORKMEN'S COMPENSATION

S. 1267 (Approved 6/30/65; effective 7/1/65).

S. 1268 (Approved 6/30/65; effective 7/1/65). S. 1268 raises the maximum weekly benefits for all types of disability and death from \$51-\$61 to \$56-\$68, according to the number of dependents. In cases of temporary total incapacity, raises the benefits to \$62-\$76 for the first 64 weeks.

Raises maximum death benefits for a widow and children from \$13,500-\$17,500 to \$15,000-\$21,000, according to the number of dependents; in cases where there are no total dependents, raises such benefits for a partially dependent survivor from \$12,000 to \$14,000.

Raises burial allowance from \$500 to \$750.

Provides weekly benefits for 60 weeks, in addition to temporary total, for disablement resulting from removal of a kidney, spleen, or lung, and for 30 weeks in cases of fracture of one or more spinous or transverse processes, but disallows additional compensation where compensation has been awarded for specific loss or loss of use of a member caused in whole or in part by such injury.

Raises the benefit period for loss of an arm from 235 to 255 weeks, but does not make a corresponding change in the occupational diseases act, where the period remains at 235 weeks.

S. 1267 makes changes in the occupational diseases act, similar to those made by S. 1268, as to benefit amounts and duration of such benefits.

Increases from 6 months to 2 years the maximum length of time an employer shall provide medical and hospital services for disablement caused by silicosis or asbestosis.

## INDIANA

(Regular Session: 1/1/65--3/8/65)

### DISCRIMINATION IN EMPLOYMENT

Ch. 368. See Older Workers.

### INDUSTRIAL RELATIONS

Ch. 1 (Approved and effective 1/28/65). Repeals the so-called "right-to-work" law, which was enacted in 1957.

Ch. 301 (Approved 3/11/65; effective 7/8/65). Extends the wage assignment law to public employees, thereby permitting check-off of union dues for such employees.

Ch. 479 (Approved and effective 3/9/65). Directs the appointment of a special committee to conduct a study relative to the desirability of a State labor relations act, and to make legislative recommendations for consideration of the next legislature.

MIGRATORY WORKERS

Ch. 122 (Approved 3/6/65; effective 1/1/67). Requires the operator of a camp used as living quarters for five or more adult seasonal or temporary agricultural workers to obtain an annual permit from the State Board of Health. Authorizes the Board to set standards for such living quarters, including sanitary conditions, maintenance, and operation, to issue rules and regulations, and to inspect the camps.

OCCUPATIONAL SAFETY AND HEALTH

Ch. 154 (Approved 3/8/65; effective 7/8/65). Requires every railroad company within the State to provide and adequately maintain specified sanitary facilities for the use of its employees.

Provides that the Public Service Commission of Indiana shall enforce the act.

OLDER WORKERS

Ch. 368 (Approved 3/12/65; effective 7/8/65). Prohibits discrimination in employment based solely on age. Makes it an unfair employment practice for an employer to refuse to hire or rehire, or to discharge, or for any labor organization to deny equal membership rights to, any person between 40 and 65 years of age. Makes void any contract or agreement entered into after October 1, 1965, which tends to prevent the employment of an older worker. Exempts nonprofit religious, charitable, fraternal, social, or sectarian organizations (other than nonsectarian social service work organizations); domestic service; farm labor; and persons qualified for benefits under a retirement or pension plan.

Requires the Commissioner of Labor to handle complaints of discrimination; to examine records; to attempt to eliminate discrimination by conference, conciliation, and persuasion; to hold hearings; and to determine whether unfair employment practices exist. After a determination has been made, the Commissioner may publish the facts of a case.

Requires employers to keep age records for all employees.

WAGE PAYMENT AND WAGE COLLECTION

Ch. 68 (Approved 3/4/65; effective 7/8/65). Raises from less than \$100 to less than \$500 the amount of a wage claim which the Commissioner of Labor may accept on assignment.

WAGES AND HOURS--ALL WORKERS

Ch. 134 (Approved 3/8/65; effective 4/1/65). A minimum wage law. Establishes a minimum wage of \$1 an hour, effective July 1, 1965, applicable to men and women 18 years of age and over who are

employed by an employer of four or more workers during a workweek. Exempts domestic service; agricultural labor; student nurses; medical interns and residents; students employed by the school in which they are enrolled; persons employed on a commission basis; outside salesmen, insurance agents, or solicitors, if paid solely on a commission basis; persons performing services in camps, recreational or guidance facilities of nonprofit charitable, religious, or educational organizations; handicapped persons employed or receiving other aid from a nonprofit organization operated primarily for that purpose; and a person employed by a member of his family.

Creates the tripartite Wage Adjustment Board and authorizes the Board to enforce and administer the act. Designates the Commissioner of Labor as secretary to the Board. Empowers the Board to determine the amount of any reduction in the statutory minimum wage, up to a total of 50 percent of the wage, for gratuities received, reasonable value of board, lodging, or other items or services furnished, and the inability of an employee to meet normal production standards because of age or mental or physical handicap.

Requires employers to furnish employees with statements of hours worked, wages received, and itemized deductions each pay period; and to permit inspection of such records by the Commissioner.

#### WORKMEN'S COMPENSATION

Ch. 206 (Approved 3/10/65; effective 4/1/65).

Ch. 217 (Approved 3/10/65; effective 4/1/65). Ch. 217 raises from \$70 to \$75 the average weekly wages to be used in computing benefits, thus raising from \$42 to \$45 the maximum weekly benefits for death and all types of disability.

Extends from 400 to 450 weeks the maximum period payable for death.

Raises from \$16,500 to \$20,000, exclusive of medical benefits, the maximum compensation with respect to any injury.

Specifies that if the Industrial Board determines that the employer has acted in bad faith or has not pursued the adjustment and settlement of the claim with diligence, the Board will fix the amount of the claimant's attorney fee, at not less than \$150, and such fee shall not be charged against the award to the claimant.

Ch. 206 makes changes in the occupational diseases act identical with those made by Ch. 217 in the workmen's compensation act.

Ch. 378 (Approved 3/12/65; effective 7/8/65). Amends the insurance law to require companies charging workmen's compensation rates less than the maximum premium rate set by the department to file such rates within 30 days instead of 10 days as previously required.



# IOWA

(Regular Session: 1/11/65--6/4/65)

## DISCRIMINATION IN EMPLOYMENT

Ch. 121 (Approved 4/29/65; effective 5/7/65). Repeals the law against discrimination in employment and enacts a comprehensive civil rights act. Specifies unlawful practices for employment agencies, as well as for employers and labor organizations as before. Prohibits certain practices based on race, creed, color, religion, national origin, or ancestry, including refusing to hire or refer for employment; excluding or expelling from union membership; advertising or publicizing that individuals are unwelcome or objectionable.

Exempts employers of less than four persons, employment in the home of the employer, and personal services. Does not prohibit religious preference by a religious institution when related to a religious purpose.

Creates a State Civil Rights Commission, composed of seven members to be appointed by the Governor. Authorizes the Commission to adopt rules and regulations, to conduct an educational program, and to cooperate with other agencies.

Permits complaints of unlawful discriminatory practices to be filed by aggrieved persons, by a commissioner, or by the Attorney General. Directs the Commission to investigate such complaints and to attempt to eliminate unfair practices by conciliation. If this fails, the Commission may hold hearings and thereafter issue cease-and-desist orders which may require affirmative action. Provides for judicial review and enforcement.

Specifies that this law does not invalidate consistent local laws.

## INDUSTRIAL RELATIONS

Ch. 422 (Approved 5/19/65; effective 7/4/65). Makes it unlawful for any person, agency, firm, or corporation whether or not directly involved in a labor dispute: (1) to recruit, supply, or refer for employment any person who customarily offers himself as a replacement for employees involved in a labor dispute; (2) to knowingly employ in place of employees involved in such dispute persons who customarily offer themselves as replacements for employees involved in labor disputes; (3) to solicit or advertise for employees as replacements for those involved in a labor dispute without notice in such solicitation or advertisement that the employment offered is to replace such employees; or (4) to enter into an agreement with any person to commit acts prohibited by this law.

## OCCUPATIONAL SAFETY AND HEALTH

Ch. 107 (Approved 4/12/65; effective 7/8/65). Creates an eight-member Employment Safety Commission to be appointed by the Governor with the consent of two-thirds of the Senate. Provides

that the Commission shall represent equally employers and employees. Authorizes the Commission to adopt or amend reasonable safety rules, regulations, and codes, after public hearing.

Gives the Commissioner of Labor the right of entry and of inspection at all reasonable times. Permits the Commissioner or his inspectors to suspend the use of any defective machine or equipment.

States that it is the policy of the State that every employer shall furnish and maintain a safe place of employment for employees.

Ch. 246 (Approved 5/14/65; effective 7/4/65). Requires all students and teachers in any public school to wear eye-protective devices that meet the requirements of the American Standards Association while participating in certain vocational, industrial arts, and chemical-physical courses or laboratories.

Requires the board of education to furnish such devices for the students and teachers, but permits the board to sell them for no more than the actual cost to the district.

#### WORKMEN'S COMPENSATION

Ch. 104 (Approved 5/13/65; effective 7/4/65). Permits employers of domestic and casual workers to choose voluntary coverage. Formerly these workers could not be brought under the act. (Retains the privilege of voluntary coverage of agricultural workers.) Makes the purchase of an insurance contract an assumption of the employer's liability without any further act on his part. Requires the employer to notify the Industrial Commissioner by certified mail of his election to provide such voluntary coverage.

Ch. 105 (Approved 5/3/65; effective 7/4/65). Specifies that a claimant is entitled to an examination by a physician of his choice at the employer's expense, if he believes a permanent disability evaluation by an employer-retained physician to be too low. Provides that his physician may confer with and obtain a necessary history from the employer-retained physician.

Ch. 106 (Approved 5/13/65; effective 7/4/65). Raises maximum death benefits from \$12,000 to \$14,250.

Raises maximum benefits for all permanent partial schedule injuries; for example, from \$2,225 to \$2,850 for loss of a thumb; from \$5,520 to \$7,125 for loss of a foot; from \$4,600 to \$5,937.50 for loss of an eye. Raises maximum benefits for nonschedule permanent partial disabilities and for permanent total disability from \$18,500 to \$23,750. Raises from \$34-\$50 to \$40-\$56, according to the number of dependents, the maximum weekly benefits for temporary disability or for permanent partial disability for which compensation is payable during a healing period.

Provides for payment of supplemental benefits for permanent partial disability during the healing period if it exceeds the maximum period for which benefits are otherwise payable. Removes the 25-week time limitation on the payment of such benefits, and specifies that maximum benefits for both the original and the extended period may not exceed 60 percent of the award.

## KANSAS

(Regular Session: 1/12/65--4/23/65)

### CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 409 (Approved 4/20/65; effective 7/1/65). Deletes the provision exempting from compulsory school attendance any child who has completed the 8th grade.

Specifically provides that upon written statement, signed by the parent or guardian, no child attending secondary schools shall be required to participate in any activity which is contrary to his religious teachings.

### DISCRIMINATION IN EMPLOYMENT

Ch. 323 (Approved 4/27/65; effective 6/30/65). Makes the act against discrimination applicable to employers of four or more, rather than eight or more persons. Deletes the exemption of non-profit religious, charitable, educational, or sectarian organizations, but retains the exemption of nonprofit fraternal or social organizations.

Makes it an unlawful practice for an employment agency to comply with discriminatory requests from an employer, or to refuse to list and properly classify for employment, or to otherwise discriminate against an individual because of his race, religion, color, national origin, or ancestry.

Makes various strengthening changes in the enforcement provisions and in the public accommodations provisions.

### OLDER WORKERS

H. Con. Res. 516 (Adopted 4/14/65). Memorializes Congress to adopt legislation making it an unlawful employment practice for employers to discriminate against employees or applicants between 40 and 65 because of their age.

## MAINE

(Regular Session: 1/6/65--6/4/65)

### APPRENTICESHIP

Ch. 43 (Approved 3/9/65; effective 9/3/65). Amends the apprenticeship law by deleting the requirement that apprentice agreements must provide for not less than 4,000 hours of reasonably continuous employment for the apprentices. Retains the requirement that such agreements shall provide for participation in a definite sequence of job training, and for necessary related and supplemental instruction to qualify as a journeyman.

## CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 272 (Approved 5/14/65; effective 9/3/65). Raises the upper age for compulsory school attendance from 16 to 17. Exempts high school graduates, those who completed elementary school prior to September 1, 1965, and children of subnormal mental capacity.

## DISCRIMINATION IN EMPLOYMENT

Ch. 394 (Approved 6/4/65; effective 9/3/65). A fair employment practice act. Prohibits discrimination in employment because of race, color, religious creed, ancestry, age, or national origin, unless based on a bona fide occupational qualification. Makes unlawful such employment practices as refusing to hire, discharging, or discriminating in compensation or other conditions of employment, if the person is the best able and most competent to perform the services required. Does not apply to actions based on applicable security regulations; termination because of the terms of a bona fide retirement plan; minimum service requirements of such plans; or the operation of the terms or conditions of a bona fide group or employee insurance plan.

Specifies that aggrieved persons may file complaints with the Commissioner of Labor and Industry, and the Commissioner and the Attorney General may also file complaints.

## INDUSTRIAL RELATIONS

Ch. 189 (Approved 4/15/65; effective 9/2/65). Prohibits the employment of any person who customarily and repeatedly offers himself for employment in place of any employee involved in a labor strike or lockout. Prohibits such a person from offering to take the place of such employee. Specifies that two prior offers to take the place of an employee involved in a strike or lockout shall be prima facie evidence that the person customarily and repeatedly offers himself for such employment.

Ch. 396 (Approved 6/4/65; effective 9/3/65). A firefighters arbitration law. Grants to firefighters (defined as permanent uniformed members of any paid fire department in any municipality within the State) the right to organize, to bargain collectively, and to be represented by a labor organization. Requires the Department of Labor and Industry to conduct a secret election whenever at least 50 percent of the firefighters in any municipality have, by signed petition, indicated that they wish to be represented by an organization, and to determine and certify the bargaining agent. Directs the municipality to meet and confer in good faith with the representatives of the bargaining agent within 10 days after receipt of written notice requesting a meeting for collective bargaining purposes. Establishes an arbitration board to hold hearings on unresolved issues.

Requires that negotiated collective bargaining agreements specifically provide that firefighters shall have no right to engage in any work stoppage, slowdown, or strike.



## OCCUPATIONAL SAFETY AND HEALTH

Ch. 200 (Approved 4/21/65; effective 9/3/65). Authorizes the Commissioner of Labor and Industry to order correction of all hazards in all places of employment (formerly only specific hazards in mechanical and manufacturing establishments were covered). Retains the provision that permits a 30-day period for compliance, but newly authorizes the Commissioner to order immediate correction where there is extreme hazard. Requires employers to provide safe working places for employees.

Exempts work on a farm or in or about a private residence, commercial fishing or logging, employment in the Federal Government, or activities subject to the Interstate Commerce Commission or the Maine Public Utilities Commission.

## OLDER WORKERS

Ch. 394. See Discrimination in Employment.

## TRAINING AND RETRAINING

Ch. 184 (Approved 6/8/65). Appropriates funds to the department of education to carry out the purposes of the Federal Manpower Development and Training Act of 1962.

Ch. 440 (Approved 6/8/65; effective 9/3/65). Authorizes programs of training in trade, industrial, agricultural, business, distributive, technical, and service occupations for persons who have graduated from a secondary school, and for adults.

## WAGES--EQUAL PAY

Ch. 150 (Approved 4/8/65; effective 9/3/65). Amends the equal pay law to extend coverage to men and to prohibit discrimination in rates of pay "for comparable work on jobs which have comparable requirements relating to skill, effort and responsibility," rather than for "equal work" as formerly provided. Prohibits an employer from discharging or discriminating against an employee for taking any action under this law.

## WAGES--PREVAILING WAGES

Ch. 406 (Approved 6/8/65; effective 9/3/65). Amends the public works act to require every contract for construction of public improvements of \$5,000 or more to provide for the payment of fair minimum wage rates, as determined by the Commissioner of Labor and Industry. Exempts contracts for engineering or architectural services and temporary or emergency repairs. Provides that the criteria for determining prevailing rates shall include rates established by collective bargaining agreements and rates paid generally where the construction is to be performed.

Requires posting of the minimum rate schedule at the work-site; sets recordkeeping requirements and requires keeping such records for 3 years after the termination of the contract.

Specifies that any employee paid less than the posted minimum rate of wages may recover the difference between the amount paid and the amount due and an additional equal amount.

Sets a penalty to be imposed on any person who demands or receives money or other things of value from a workman upon the representation that he will help him procure or retain employment on a public improvement. Provides appeals procedure to a rate board, and then to the courts.

#### WAGES--WAGE GARNISHMENT

Ch. 354 (Approved 5/28/65; effective 9/3/65). Restricts trustee process (wage garnishment) until after judgment. (Formerly wages could be attached before suit unless the defendant tendered to the plaintiff the entire amount allegedly due, plus fees.)

#### WAGES AND HOURS--ALL WORKERS

Ch. 176 (Approved 4/15/65; effective 9/13/65). Specifically repeals the fish packing wage board law that was enacted in 1939.

Ch. 179 (Approved 6/8/65; effective 9/3/65). Amends the minimum wage law of 1959. Increases the minimum wage rate from \$1.00 to \$1.15 for 1 year starting October 15, 1965 and to \$1.25 thereafter. Makes the law applicable to private nursing homes and hospitals for the first time, and for such workers sets rates of \$1.00 until October 15, 1966, to \$1.15 until October 15, 1967, and \$1.25 thereafter.

Adds an overtime requirement for the payment of at least one and one-half times the employee's regular rate for all hours worked beyond 48, but expressly excludes certain fish and perishable food canning and preparation occupations as well as nursing homes and hospitals.

Requires employers to furnish employees with wage statements with each payment of wages.

#### WORKMEN'S COMPENSATION

Ch. 39 (Approved 3/5/65; effective 9/3/65). Exempts firemen from the requirement that the incapacity must last 7 days before compensation starts, specifying that firemen shall receive compensation from the date of incapacity.

Ch. 81 (Approved 3/24/65; effective 9/3/65). Clarifies the provision relating to the average weekly wages of a person who is employed concurrently by two or more employers by deleting the requirement that he be employed "during the ordinary working hours" in any week.

Ch. 408 (Approved 6/8/65; effective 11/30/65). Eliminates maximum weekly benefits of \$42, the maximum number of weeks for which benefits are paid, and the aggregate maximum payable for all types of disability and death, and provides instead that maximum benefits shall be based on two-thirds of the average weekly wage in the State as computed by the Employment Security Commission.

Amends the waiting period provision by making benefits retro-active to date of incapacity if disability continues for more than 14 days rather than 21 days.

Increases from 1 to 2 years the time limitation for filing a claim for workmen's compensation benefits.

Gives an injured employee the right to select a physician or surgeon from a panel selected by the Industrial Accident Commission. Requires the employer to pay the physician or surgeon selected.

Newly authorizes the Commission to require the employer to furnish orthopedic appliances and physical aids made necessary by the injury, and to replace or renew the orthopedic or artificial appliances when necessary.

Provides that a lump sum payment may be made for schedule injuries in the amount arrived at by multiplying the average weekly wage by the period of presumed total incapacity.

Ch. 411 (Approved 6/8/65; effective 9/3/65). Reduces the numerical exemption for elective coverage from fewer than six to fewer than four for all employees and extends coverage to agricultural employees except seasonal or casual farm laborers.

## MARYLAND

(Regular Session: 1/20/65--3/30/65)

### APPRENTICESHIP

Ch. 910 (Approved 5/4/65; effective 6/1/65). Repeals the apprenticeship act under the education department and enacts an apprenticeship and on-the-job training act under the administrative direction of the Commissioner of the Department of Labor and Industry. Provides for the appointment of a Director of Apprenticeship and Training by the Commissioner. Makes the Director, among other things, responsible for the encouragement and promotion of apprenticeship standards and encouragement of liaison and cooperation between all private, State and Federal agencies concerned with apprenticeship, trade, and industrial training.

Creates a tripartite Apprenticeship and Training Council of seven members to be appointed by the Governor with the advice and consent of the Senate. Provides that the Council shall determine the apprenticeability of trades in the State; encourage the establishment of local apprenticeship committees; formulate and adopt standards of apprenticeship; and provide guidance and counsel on the establishment of other forms of on-the-job training.

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 386 (Approved 4/8/65; effective 6/1/65). Permits waiver of the requirement for a certificate of physical fitness signed by a physician appointed by the Commissioner of the Department of Labor and Industry, upon presentation by any minor of a certificate from the minor's family physician. (Formerly such waivers were permitted only for minors 16 and 17 years of age.)

Ch. 387 (Approved 4/8/65; effective 6/1/65). Deletes the requirement that the parent or guardian must appear in person to make an application for an employment certificate for minors 14 and 15 years of age.

Ch. 388 (Approved 4/8/65; effective 6/1/65). Repeals the provisions regulating the employment of boys 12 and over in various street trades, such as newspaperboys, handbill distributors, and bootblacks.

Ch. 389 (Approved 4/8/65; effective 6/1/65). Limits the 18-year minimum age for employment in or about docks, wharves, or slips to the occupations of longshoring, stevedoring, shipbuilding, shipbreaking, or ship repairing.

Ch. 625 (Approved 5/4/65; effective 6/1/65). Specifically permits both girls and boys 16 years of age or over to be employed in a theater devoted exclusively to the showing of motion pictures. Formerly the law set a minimum age of 16 for boys and 18 for girls for employment in a moving picture establishment.

DISCRIMINATION IN EMPLOYMENT

Ch. 717 (Approved 5/4/65; effective 7/1/65). Prohibits discrimination in employment based on race, color, religion, ancestry, or national origin. Makes unlawful certain practices by employers, employment agencies, labor organizations, or apprenticeship and training committees, in relation to employment, union membership, training programs, and advertising. Makes it unlawful for employers to discriminate against persons on the basis of sex. Exempts employers of fewer than 100 the first year; 75 the second; 50 the third year; and 25 thereafter. Also exempts tax-exempt private membership clubs.

Adds these provisions to the article of the Code providing for a nine-member Commission on Interracial Problems and Relations, which has enforcement powers.

OCCUPATIONAL SAFETY AND HEALTH

Ch. 215 (Approved 4/8/65; effective 6/1/65). Amends a 1964 law requiring the use of eye-protective devices by pupils and teachers in public schools participating in certain courses involving the use of specified materials, to require their use in all schools or other educational institutions.



## Maryland

Ch. 266 (Approved 4/8/65; effective 6/1/65). Increases the maximum fine for violation of the occupational safety law from \$100 to \$5,000 and imprisonment from 6 months to 5 years for each offense.

### WAGES--PREVAILING WAGES

Ch. 178 (Approved 3/29/65; effective 6/1/65). Provides that within 3 working days after a request by an employee, the State Roads Commission shall notify the employee in writing of hours worked, amount earned, and deductions made for the last pay period. Requires posting of wage-rate schedule in at least one prominent place at construction site.

### WAGES AND HOURS--ALL WORKERS 1/

Ch. 697 (Approved 5/4/65; effective 6/1/65). A minimum wage law. Sets a rate of \$1.00 an hour applicable to men, women, and minors who are employed by an employer of seven or more workers, except employees who are 62 years of age or over who work 25 hours or less a week, and students of elementary or secondary schools who work outside of school hours and during school vacations. Exempts employees in certain occupations and establishments, such as agriculture; domestic service in a private home; restaurants and hotels, and any other establishment which sells food and drink for consumption on the premises; all types of theaters; and hospitals and nursing homes except employees in laundry service in such places.

Directs the Commissioner of the Department of Labor and Industry "to vigorously enforce the policies of this Act." Authorizes the Commissioner to make regulations, after public hearing, on such subjects as the definition of outside salesmen, executive, professional, and administrative employees (for the purpose of exemption from the law); allowances for board, lodging, or other facilities or services customarily furnished; minimum wage rates for learners and apprentices (rate to be not less than 80 percent of the minimum wage); and minimum wage rates for handicapped workers. Specifies that he may also make special regulations in cases where he finds that it is necessary to prevent curtailment of employment opportunities and to safeguard the minimum wage.

Authorizes the Governor to appoint a tripartite Advisory Committee to consult with the Commissioner and to approve regulations the Commissioner makes. Requires the Advisory Committee to hold a hearing every 2 years to review the regulations, and to make recommendations for changes in rates, coverage, or other provisions, in a written report to the Commissioner.

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1/ Baltimore City adopted an ordinance in December 1964 which established a minimum wage of \$1.00 an hour applicable to employers of 11 or more employees, with certain exceptions.

## Maryland

Authorizes the Commissioner to take assignment of wage claims and, when necessary, to bring legal action for the collection of such claims. Requires employers to keep wage-hour records and to have them available for inspection for a period of not less than 3 years.

### WORKMEN'S COMPENSATION

Ch. 280 (Approved 4/8/65; effective 6/1/65). Permits any volunteer fire company in Carroll County, upon approval of the County Commissioners, to elect to have its paid members or employees considered as workmen for wages for purposes of workmen's compensation. Provides that the company so electing shall provide for the payment of premiums on behalf of its members.

Ch. 321 (Approved 4/8/65; effective 6/1/65). Increases from \$48 to \$55 a week the maximum benefits for temporary total and permanent total disability. Retains the \$30,000 maximum for permanent total disability.

Ch. 322 (Approved 4/8/65; effective 6/1/65). Provides that any person who receives an award for permanent partial schedule injuries of 175 weeks or more, or an award equal to 40 percent or more of \$12,500 for nonschedule injuries, shall be considered to have a serious disability, and shall be entitled to an extra award of one-third of the number of weeks otherwise provided. In such cases, sets a maximum of \$40 a week, and provides that the total maximum of \$12,500 shall not apply.

## MASSACHUSETTS

(Regular Session: 1/6/65--1/4/66)

### AGRICULTURAL WORKERS

Res. Ch. 24. See Migratory Workers.

### CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 25. See Emergency Relaxations.

Ch. 572 (Approved 6/28/65). Requires attendance at school of children between the "minimum and maximum ages established... by the Board of Education" instead of those between 7 and 16. Retains same exemptions as formerly.

### DISCRIMINATION IN EMPLOYMENT

Ch. 397 (Approved 5/3/65). Amends the fair employment practice act (which prohibits discrimination in employment because

## Massachusetts

of race, color, religion, national origin, age, or ancestry) to also prohibit such discrimination if based on sex. Specifies that this prohibition is not deemed to repeal any provision of the labor laws for women, which include the equal pay law, and restrictions on weight lifting, hours of work, and other protective laws.

### EMERGENCY RELAXATIONS

Ch. 25 (Approved 2/15/65). Extends until July 1, 1967, the authority of the Commissioner of Labor and Industries to suspend the application of statutes or regulations concerning the employment of women and of minors over 16 in case of emergency or conditions of hardship in an industry or establishment.

### HOURS OF WORK

Ch. 448 (Approved 5/10/65; effective 8/8/65). Amends the law prohibiting the employment of females in manufacturing and mechanical establishments before 6 a.m. or after 11 p.m. to permit the employment of women 21 years and over during such hours if certain conditions are met, including requirements that the shift does not begin or end between such hours, the establishment operates two other shifts, adequate transportation is available, the woman is not the sole occupant of the establishment, and the Commissioner of Labor and Industries is notified before the third shift is established. Provides procedures for administration which include hearings and determinations subject to judicial review.

### INDUSTRIAL RELATIONS

Ch. 564 (Approved 6/23/65). Permits housing authorities to enter into collective bargaining agreements with labor organizations representing their employees. Extends to such employees the provisions of the labor relations act relating to procedures for determining representation.

Ch. 763 (Approved 11/17/65). Grants municipal employees the right to engage in collective bargaining through representatives of their own choosing. Prohibits such employees from engaging in any strike, work stoppage, slowdown, or withholding of services. Excludes elected officials, board and commission members, police, and the executive officers of any municipal employer.

Vests responsibility for administration in the Labor Relations Commission. Establishes procedures for determining representation and requires the employee organization recognized by the municipal employer to be the exclusive bargaining agent for all employees in the unit.

Establishes procedures for investigation and factfinding by the Board of Conciliation and Arbitration when their services are requested by either party to a dispute.

Prohibits municipal employers from: (1) interfering with or coercing employees in the exercise of their rights; (2) dominating or interfering with the formation or administration of any employee

## Massachusetts

organization; (3) discharging or otherwise discriminating against an employee because he has signed an affidavit, a petition, or a complaint; (4) refusing to bargain collectively in good faith with an employee organization which has been designated as the exclusive employee representative; and (5) refusing to discuss grievances.

Prohibits employee organizations or their agents from: (1) restraining or coercing a municipal employer in the selection of his representatives; and (2) refusing to bargain collectively in good faith with a municipal employer.

### MIGRATORY WORKERS

Res. Ch. 24 (Approved 5/10/65). Creates a special commission to make an investigation and study relative to seasonal farmworkers.

### OCCUPATIONAL SAFETY AND HEALTH

Ch. 95 (Approved 8/10/65). Creates a special 15-member commission to make an investigation and study relative to rules and regulations concerning the construction, installation, and inspection of nonfired pressure vessels. Requires the commission to also consider the advisability of requiring the licensing of persons who install or repair such vessels.

Ch. 484 (Approved 5/22/65). Establishes an advisory council on radiation protection, in the Department of Public Health, consisting of the Commissioners of Public Health, Labor and Industries, Public Safety and Administration, the Director of Civil Service, and six persons, appointed by the Governor, from the fields of medicine, radiology, radiation, or health physics, and others. Provides that the council shall meet at least twice a year, and shall make recommendations to the Governor, the general court, and the various departments of the executive branch relating to the development, growth, and status of substances and apparatus that emit ionizing radiation.

### WAGES--PREVAILING WAGES

Ch. 417 (Approved 5/3/65). Requires every contractor, subcontractor, or public body engaged in public works construction to preserve its payroll records for 3 years after completion of the contract. Also requires them to furnish to the Commissioner of Labor and Industries, within 15 days after completion of work, a statement of compliance regarding wages paid specified employees.

### WAGES AND HOURS--ALL WORKERS

Ch. 334 (Approved 4/15/65). Increases the minimum wage rate from 85 cents an hour to 90 cents effective September 5, 1966, and to 93 cents a year later, for "service people who regularly receive gratuities." (\$1.30 an hour is the current rate for most other employments.)



Massachusetts

Ch. 335 (Approved 4/15/65). Makes it a violation of the minimum wage law for any person to require an employee to return any portion of his wages, which would reduce the wages to less than the minimum, or for any person to threaten an employee or cause such person to accept as payment in full a lesser sum than the full amount due.

Ch. 416 (Approved 5/3/65). Amends the overtime provision of the minimum wage law by requiring parking lot attendants to be paid at least one and one-half times their regular rate for work beyond 40 hours a week.

WAGES--WAGE GARNISHMENT

Ch. 356 (Approved 4/27/65). Prohibits sending a claim against a Massachusetts debtor out of the Commonwealth, or instituting action in the courts of another State, with the intention of depriving him of the wage earners' exemptions and protections under Massachusetts law, so long as the debtor and his employer are within the jurisdiction of Massachusetts courts.

WORKMEN'S COMPENSATION

Ch. 487 (Approved 5/22/65). Increases from 6 months to 1 year after injury or death the time limit for filing claims for workmen's compensation benefits.

Provides that an insurer may proceed against a third person for indemnity within 1 year (rather than 6 months) of the injury after the employee has claimed or received benefits; and provides that if the insurer does not do so within 15 months (rather than 9), the employer may so proceed.

Ch. 644 (Approved 8/17/65). Increases from \$53 to \$58 the maximum weekly benefits for temporary total, permanent total, and partial incapacity.

Ch. 687 (Approved 9/9/65). Provides for dissolution of the Transit Mutual Insurance Company and the acquisition of its property, assets, and liabilities by the Massachusetts Bay Transportation Authority. Authorizes the Authority to provide workmen's compensation coverage for its employees through an insurer or as a self-insurer.

Res. Ch. 43 (Approved 5/22/65). Revives and continues the special commission established in 1964 to investigate and study the workmen's compensation laws.

Res. Ch. 78 (Approved 7/19/65). Establishes a special 14-member commission to investigate and study safety inspection under the workmen's compensation act. Directs the commission to study House Document Numbered 1965 in connection therewith.

MISCELLANEOUS

Ch. 234 (Approved 4/3/65). Amends the labor and industry law. Adds to the section prohibiting false advertisements for help or for obtaining employment, an additional prohibition that if an offer of employment is contingent upon the purchase of an article, the advertisement must state this fact as well as the price of the article.

MICHIGAN

(Regular Session: 1/13/65--12/30/65)

AGRICULTURAL WORKERS

Act 296 (Approved and effective 7/22/65). Amends the 1964 minimum wage law to temporarily suspend the application of the law to certain agricultural workers until the Wage Deviation Board has collected sufficient data to determine piece-rate equivalents. Directs such determination to be made no later than July 31, 1966. Applies to employees of fruit, pickle, and tomato growers, as well as other agricultural employers who traditionally contract workers for harvesting on a piece-rate basis.

CHILD LABOR AND SCHOOL ATTENDANCE

Act 287. See Migratory Workers.

DEBT POOLING

Act 321 (Approved 7/22/65). Removes previous exemption for nonprofit religious, fraternal, or cooperative organizations offering debt-management service exclusively for their members; thus covers such groups under the law regulating debt management.

DISCRIMINATION IN EMPLOYMENT

Act 344. See Older Workers.

Act 380. See State Department of Labor.

INDUSTRIAL RELATIONS

Act 18 (Approved 4/22/65). Strengthens the antistrikebreaking law. Prohibits the importation from anywhere of strikebreakers by anyone involved in a lawful strike or lockout. Prohibits anyone from advertising for employees to replace those involved in a lawful strike or lockout without stating in such advertisement that the employment offered is in place of employees involved in the strike or lockout.

Act 282 (Approved and effective 7/22/65). Amends the law creating the Labor Mediation Board to make the Board responsible also for the administration of labor relations functions (formerly administered only by the courts). Directs the Board to administer the labor relations and the mediation functions separately.

Establishes procedures for processing charges of unfair labor practices, for holding representation elections, and for the determination and certification of the appropriate unit for collective bargaining purposes. Adds two unfair labor practices: (1) an employer may not refuse to bargain collectively, and (2) a labor organization may not engage in recognition picketing where another labor organization has been certified.

Act 379 (Approved and effective 7/23/65). Guarantees public employees the right to organize and to bargain collectively with their public employers through representatives of their choice. As before, continues the prohibition against strikes by public employees but repeals provisions requiring automatic termination of employment and forfeiture of benefit rights of those employees who violate the law, and the conditions under which such employees could be reemployed. Also repeals the provision establishing penalties for nonpublic employees who incite public employees to strike.

Grants employees who have been dismissed or disciplined for violating the law the right of review by the circuit court having jurisdiction of the parties rather than by way of petition to the mediation board.

Establishes procedures for determining representation. Specifies that the selected collective bargaining representatives are the exclusive representatives of all of the employees in the unit.

Makes it unlawful for a public employer to: (1) refuse to bargain collectively with the representatives of his employees; (2) interfere with or coerce his employees in the exercise of their guaranteed rights; (3) interfere with the formation or administration of any labor organization; (4) discriminate in regard to conditions of employment in order to encourage or discourage membership in a labor organization; or (5) discriminate against an employee because he has given testimony or instituted proceedings under this act.

Provides for a secret ballot election when a question of representation arises. Prohibits the holding of an election in any bargaining unit in which a valid election has been held within the preceding 12-month period, or when a valid collective bargaining agreement which was not prematurely extended is in effect.

Establishes procedures for investigation and factfinding by the Mediation Board. Authorizes the Board to issue cease-and-desist orders in cases involving unfair labor practices.

Act 380. See State Department of Labor.

#### MIGRATORY WORKERS

Act 287 (Approved and effective 7/22/65). Appropriates \$15,000 to the Superintendent of Public Instruction for the

Michigan

operation by school districts of experimental elementary education classes, from June through August 1965, for the children of migrant workers.

Requires the Superintendent to report to the Governor and the legislature on the operations of classes under this act.

Act 288 (Approved and effective 7/22/65). Authorizes the State Department of Agriculture to adopt rules and regulations, by July 1, 1966, to provide minimum safety requirements for motor vehicles used to transport migratory workers, for the drivers of such vehicles, and for the workers.

Directs the Department to encourage compliance with the regulations and to meet with other groups to promote health and safety in the transportation of migrants.

Act 289 (Approved 7/22/65; effective 7/1/65). Requires that after January 1, 1966, an annual license be obtained from the State Health Commissioner to operate an agricultural labor camp as living quarters for five or more migratory workers.

Authorizes the State Health Commissioner to enforce the law and to make regulations that include provision for the appointment of an advisory committee to assist him with the administration of the law and the regulations. Requires that the regulations include minimum standards on construction, safety, sanitation, and maintenance of camps. Authorizes the Commissioner to enter and inspect camps and to utilize the services of local health agencies to assist in inspections. Permits the Commissioner to approve payments of \$15 to local health agencies for each licensed camp.

S. Res. 59 (Adopted 6/24/65). Creates a legislative committee to study legislative problems involving housing and other conditions of migratory workers, to determine the proper State agency to give supervisory control of programs of such workers, to determine cost factors involved in requiring adequate housing, and to report its findings to the 1966 legislature.

OCCUPATIONAL SAFETY AND HEALTH

Act 54 (Approved and effective 6/18/65). Authorizes the Governor to enter into agreements with the Federal Government for discontinuance of certain of its responsibilities with respect to sources of radiation and their assumption by the State. Also authorizes the Governor to enter into agreements with other States in order to facilitate interstate cooperation. Specifies that such agreements shall not become effective until ratified by law.

Act 360 (Approved and effective 7/23/65). Creates a 10-member Elevator Safety Board, one member to be the Commissioner of Labor, the other nine to be appointed by the Governor with the advice and consent of the Senate. Authorizes the Board to issue rules and regulations for the design, construction, installation, alteration, maintenance, and operation of elevators. Defines elevators to newly include incline lifts, moving walks, and aerial tramways.



## Michigan

Requires an elevator contractor to secure an annual license from the Commissioner of Labor. Provides for revocation of such licenses, after hearing.

Provides that all carnival and amusement rides shall be equipped with safety devices approved by the Department of Labor. Authorizes the Department to suspend operation of any such ride until safety measures are complied with.

Act 380. See State Department of Labor.

### OLDER WORKERS

Act 344 (Approved 7/23/65; effective 10/1/65). Amends the fair employment practice act to prohibit discrimination by employers, employment agencies, and labor organizations against persons between the ages of 35 and 60, because of age, except where based on a bona fide occupational qualification or on requirements of Federal or State law.

Makes unlawful such practices as refusing to hire or refer for employment, and discriminating in union membership. Prohibits discriminatory advertising, limiting opportunities through a quota system, and utilizing placement services known to discriminate against older workers.

Specifies that this act does not preclude the varying of insurance coverage according to age and does not affect retirement systems or policies which are not a subterfuge, except those established on or after July 1, 1965, providing for mandatory retirement before the age of 65. Specifies that the prohibitions do not apply to the requirements of Federal or State training or employment programs or to selection for apprenticeship or on-the-job training programs of more than 4 months' duration.

### PRIVATE EMPLOYMENT AGENCIES

Act 330 (Approved 7/23/65; effective 9/1/65). Prohibits an employment agency from (1) using a name similar to that of the Michigan Employment Security Commission or any name which may be confused with that of any free placement service, or (2) knowingly or negligently sending an applicant to a place where a strike or lockout exists or is impending without so informing him.

Requires an employment agency to include a schedule of service charges in its contract.

Newly covers artists' managers; establishes requirements for written agreements between an artist's manager and every artist entertainer. Requires a copy of the agreement to be filed with the Superintendent of Private Employment Bureaus.

Exempts from coverage of the private employment agency law any person employing individuals to render part-time or temporary personnel services to, for, or under the direction of a third person if specified requirements are met. Specifically prohibits the employer of such persons from sending employees where a strike, lockout, or labor dispute exists.

Act 380. See State Department of Labor.

#### STATE DEPARTMENT OF LABOR

Act 380 (Approved and effective 7/23/65). The executive organization act of 1965. Reorganizes the executive and administrative agencies of the State government and vests all administrative powers, duties, and functions into 19 principal departments.

Designates the Department of Labor as a principal Department to be headed by a Director appointed by the Governor with the advice and consent of the Senate. Abolishes the position of the Commissioner of Labor.

Transfers the Workmen's Compensation Department, Workmen's Compensation Appeals Board, Wage Deviation Board, Labor Mediation Board, and the State Construction Safety Commission to the Department under the supervision of the Director, including their budgetary, procurement, and related management functions, but provides that each agency shall exercise their prescribed statutory powers, duties, and functions, including the prescription of rules, regulations, and standards, and adjudication independently of the Director.

Transfers the Employment Security Commission, Employment Security Advisory Council, and the Employment Security Appeals Board as autonomous entities to the Department.

Transfers the Board of Boiler Rules and the Office of Inspector of Coal Mines, with all statutory authority, powers, duties, personnel, and all functions of budgeting and procurement, to the Department. Abolishes the Office of Inspector of Coal Mines as a separate agency.

Places the Office of Superintendent of Private Employment Bureaus in the Department of Licensing and Regulation, and creates a Civil Rights Department to be headed by a Commissioner.

Provides that all rules, regulations, and orders lawfully made before the enactment of this law shall continue in effect until revised, amended, or repealed.

H. Con. Res. 8 (Adopted 2/9/65). Authorizes the Standing Committee on Labor of the Senate and of the House of Representatives to investigate the functions of the office of the Commissioner of Labor.

#### WAGE PAYMENT AND WAGE COLLECTION

Act 143 (Approved and effective 7/12/65). Provides that wages which may be paid to survivors of deceased employees without letters of administration shall include reimbursement for travel and other expenses due the deceased employee.

#### WAGES--PREVAILING WAGES

Act 166 (Approved 7/15/65). A prevailing wage law. Applies to contracts for new construction, repair, or improvement of public buildings, works, bridges, highways, or roads. Requires payment of

## Michigan

prevailing wages and fringe benefits to any skilled or unskilled mechanic, laborer, workman, helper, assistant, or apprentice, but not to executive, administrative, professional, office, or custodial employees or those under the State Civil Service Commission. Exempts contracts subject to the Federal Davis-Bacon Act or which contain minimum wage schedules the same as the prevailing wages in the locality as determined by bargaining agreements or understandings.

Authorizes the Commissioner of Labor to establish prevailing wages and fringe benefits on the basis of collective agreements or understandings that prevail in the locality. Provides that if no such agreements exist in the locality, the Commissioner shall then use the rates in the nearest and most similar neighboring locality in which such agreements do exist. Requires that a schedule of determined rates be made a part of the contract specifications.

Provides recordkeeping, posting, and bonding requirements.

### WAGES AND HOURS--ALL WORKERS

Act 296. See Agricultural Workers.

Act 380. See State Department of Labor.

### WORKMEN'S COMPENSATION

Act 32 (Approved and effective 5/18/65). Provides that assessments shall be made against each insurance carrier, self-insurer, and the State accident fund whenever the balance in the second-injury fund falls below \$100,000. Deletes the provision requiring return of payments made by a self-insurer if a claim is later made by dependents of a deceased worker.

Act 44 (Approved 7/3/65; effective 9/1/65).

Acts 395 and 396 (Approved and effective 10/26/65). Extends coverage of the act to certain employees formerly exempted. Makes the act applicable to employers of less than three persons, provided at least one employee has been regularly employed for 35 or more hours per week for 13 weeks or longer during the preceding 52 weeks, and to employers of three or more domestic servants or hourly-paid agricultural workers employed for the same periods. Requires agricultural employers of one or more workers regularly employed 35 or more hours per week for 5 or more weeks to provide medical and hospital coverage for workers not covered by workmen's compensation.

Increases maximum weekly benefits for all types of disability, according to number of dependents, from \$33-\$57 to \$58-\$91 as of September 1, 1965; to \$61-\$92 as of September 1, 1966; and to \$64-\$93 as of September 1, 1967. Increases the minimum weekly benefits for total disability from \$18-\$28 to \$27-\$42.

Increases maximum weekly benefits for death, according to number of dependents, from \$33-\$51 to \$58-\$84 on September 1, 1965; to \$61-\$86 on September 1, 1966; and to \$64-\$87 as of September 1, 1967. Increases minimum weekly death benefits from

Michigan

\$18-\$26 to \$27-\$39. Increases the period for which death benefits are payable from 450 to 500 weeks and permits the Department of Labor to extend the period beyond 500 weeks in case of a dependent child, until such child is 21.

Newly provides that compensation for temporary total and permanent partial disability shall be for the period of disability, rather than 500 weeks.

Provides that benefits shall be paid from the date of disability if the disability lasts more than 2, rather than 4, weeks.

Provides for unlimited medical benefits, rather than such benefits limited to 6 months and thereafter extended for additional 6 months' periods as needed. Permits the injured worker, after 60 days from the inception of medical care, to select his own doctor with the employer's permission or the approval of the Department.

Requires prompt medical rehabilitation services and, when necessary, vocational rehabilitation services, including retraining and job placements. Specifies that such services shall not extend beyond 52 weeks, except that the Department may order an additional 52 weeks. Authorizes the Department to order payment of transportation or any other extra expenses during the period of rehabilitation.

Provides that the maximum benefit rate for both disability and death shall be adjusted annually after January 1, 1969, on the basis of a \$1.00 increase or decrease in the maximum rate for each \$1.50 increase or decrease in the State's average weekly wage. Provides that benefits shall be reduced 5 percent each year for persons over 65 so that by age 75 the weekly benefit amount shall be 50 percent of the average weekly wage. Authorizes the Department to determine benefits payable to a person under 25 who is permanently and totally disabled.

Increases burial allowances from \$500 to \$750.

Provides that upon remarriage the widow shall receive an amount equal to the compensation she would otherwise receive, but not more than \$500.

Creates a Silicosis and Dust Disease Fund to reimburse any employer or insurance carrier who has paid more than \$12,500 in benefits due to silicosis or other dust diseases.

Act 81 (Approved and effective 6/24/65). Adds county sheriffs and their deputies and members of the State police to those persons covered for respiratory and heart disease benefits.

Act 230 (Approved and effective 7/16/65). Provides for proceedings to be continued in the name of deceased's personal representative when a claim has been filed but has not been decided by a referee or an appeal, and the claimant dies from a cause unrelated to his injury. Requires that benefits payable up to the time of death be paid to the beneficiaries in the same amounts as would have been payable if the employee had suffered a compensable injury resulting in death.

Act 380. See State Department of Labor.



## Michigan

S. Res. 94 (Adopted 6/25/65). Creates a Special Committee on Workmen's Compensation Insurance to function during 1965 and until the 1966 legislature meets, to study agriculture and its possible effects on workmen's compensation insurance and to report its findings and recommendations to the legislature.

## MINNESOTA

(Regular Session: 1/5/65--5/24/65)

### DISCRIMINATION IN EMPLOYMENT

Ch. 584 (Approved 5/21/65; effective 5/22/65). Deletes from the fair employment practice act the exemption of employers of less than eight employees. Provides that the employment of one person in place of another shall not necessarily be evidence of an unfair discriminatory practice.

Ch. 586 (Approved 5/21/65; effective 5/22/65). Makes various changes in the procedural sections of the act against discrimination. Abolishes the Board of Review which was created to conduct hearings on complaints, and transfers its functions to the State Commission Against Discrimination. Formerly the Commission was required to submit evidence and present the complainant's case before the Board. Provides that on demand of the respondent, a court proceeding may be had in lieu of a Commission hearing on a complaint.

Ch. 866 (Approved 5/26/65; effective on approval by the governing body of the city of St. Paul). Permits the St. Paul antidiscrimination commission to provide for judicial review and enforcement of its orders, and specifies procedures to be followed. Provides that a respondent may waive a hearing before the commission and have the case transferred to the courts.

### INDUSTRIAL RELATIONS

Ch. 839 (Approved 5/26/65; effective 5/27/65). Amends the law relating to collective bargaining rights for public employees. Provides a method for granting formal and informal recognition of labor or employee organizations according to the extent they represent employees of the governmental unit.

Establishes procedures for the settlement of controversies involving wages, hours, or other conditions of employment. Grants to public employees the right of independent review by a disinterested person or agency of any grievance arising out of or adherence to terms and conditions of employment.

Makes this law inapplicable to public school teachers.

Minnesota

WAGES--PREVAILING WAGES

Ch. 368 (Approved 5/10/65; effective 5/11/65). Requires the Commissioner of Highways to include in contract specifications for the construction, improvement or repair of roads or highways financed in whole or in part with Federal funds, a provision requiring payment at the same rate of wages as paid by the State on State trunk highway projects. Exempts contracts with railroads or public utilities for alteration or relocation of any facilities when labor is performed by regular employees of the railroad or public utility.

WAGES AND HOURS--WOMEN AND MINORS

Ch. 370 (Approved 5/10/65; effective 5/11/65). Permits one minor per establishment to be employed as a student or learner of the printing trade for a maximum workweek of from 20 to 33 hours. Sets a scale of percentages, ranging from 5 to 25 percent, below the minimum wage which can be paid to such a minor by weekly and semiweekly newspaper publishers. Limits such learning period to 3 years.

WORKMEN'S COMPENSATION

Ch. 327 (Approved 5/6/65; effective 5/7/65). Amends subsequent injury provisions to permit the employer or the insurer, where pre-existing impairment results in substantially greater compensation, to be reimbursed for all compensation from the Special Fund in excess of 26 weeks of cash benefits and \$1,000 in medical expenses. Provides that if it is determined that the subsequent injury, or disability or death resulting from such injury, would not have occurred except for the preexisting physical impairment the employer shall be reimbursed for all compensation paid. Previously the employer was reimbursed in both cases only for benefits paid in excess of 104 weeks of compensation.

Ch. 419 (Approved 5/13/65; effective 5/14/65). Exempts from the time limitations for establishing claims under the workmen's compensation law, claims for injuries caused by X-ray or other radiation. Provides that an employee injured by such sources must give notice to his employer and commence his action within 2 years after he has knowledge of the cause of the injury and the injury has resulted in disability.

Ch. 742 (Approved 5/25/65; effective 5/26/65). Raises the maximum burial allowance from \$550 to \$750.

# MISSOURI

(Regular Session: 1/6/65--7/15/65)

## DISCRIMINATION IN EMPLOYMENT

S. 235 (Approved 6/30/65; effective 10/13/65). Makes various strengthening changes in the fair employment practice act. Makes the law applicable to employers of 25 or more persons (formerly 50 or more). Newly prohibits employment discrimination because of the sex of an individual.

Enumerates several new unlawful practices: for an employer or labor organization to limit, segregate, or classify employees or members in a way that would deprive them of opportunities or adversely affect their status as employees, or to discriminate in admission to or employment in apprenticeship, training, or retraining programs; for an employment agency to fail to classify properly, refer for employment, or otherwise discriminate against an individual. Specifies various practices which are not unlawful-- for example, providing a younger retirement age for females than for males.

H. 423 (Approved 7/21/65; effective 10/13/65). Amends law requiring equal pay for women to require the Industrial Commission to carry on a continuing program of education, information, study, and community organization concerning the problems of female employees in seeking, obtaining, and holding employment without discrimination on account of sex; including promotion of programs to eliminate discrimination in employment; promotion of research with the view to reducing barriers in the hire, employment, and retention of female employees; sponsoring and correlating community information and educational programs intended to reduce or abolish sex discrimination in employment; and recommending to the Governor specific proposals for legislation necessary for the elimination of sex discrimination in employment.

## INDUSTRIAL RELATIONS

S. 112 (Approved 6/25/65; effective 10/13/65). Grants public employees the right to organize and bargain collectively through representatives of their own choosing. Prohibits strikes. Exempts police, deputy sheriffs, the State Highway Patrol, the State National Guard, and teachers of public schools and colleges. Prohibits discrimination against any employee for exercising his right to join or to refrain from joining a labor organization.

## OCCUPATIONAL SAFETY AND HEALTH

S. 270 (Approved 8/19/65; effective 10/13/65). Authorizes Missouri to enter into the Southern Interstate Nuclear Compact.

H. 64 (Approved 8/2/65; effective 10/13/65). Directs the Division of Industrial Inspections to investigate all accidents serious enough to require physical rehabilitation.

## Missouri

Requires the Director to submit a report to the Governor on all accidents investigated, together with suggestions and recommendations for presentation to the next general assembly.

H. 451 (Approved 6/30/65; effective 10/13/65). Requires the Public Service Commission of Missouri to make and enforce reasonable safety rules and regulations (after holding hearings) relating to motor vehicles used by railroads to transport employees, tools, and supplies to and from their places of employment or during the course of their employment.

### WAGES--EQUAL PAY

H. 423. See Discrimination in Employment.

### WAGES--PREVAILING WAGES

S. 296 (Approved 8/19/65; effective 10/13/65). Repeals the provision in the prevailing wage law that permitted appeals to the Supreme Court relating to determinations of prevailing wages.

H. 610 (Approved 8/6/65; effective 10/13/65). Amends the definition of prevailing wage rate on public works to include, in addition to the rate paid per hour, the hourly contribution for health and welfare benefits, vacations, pensions, and any other economic benefits paid directly or indirectly.

### WORKMEN'S COMPENSATION

S. 214 (Approved 8/18/65; effective 10/13/65). Deletes the exemption for casual employment from coverage of the law.

H. 279 (Approved 6/14/65; effective 10/13/65). Requires employers to provide reasonable medical, surgical, and hospital treatment to injured employees for 180, rather than 90 days.

H. 280 (Approved 7/6/65; effective 10/13/65). Raises weekly benefits for temporary total disability and for death from \$47.50 to \$52. Raises such benefits for permanent total disability from \$42.50 to \$47 during the first 300 weeks, and from \$27.50 to \$30 thereafter. Raises maximum weekly benefits for permanent partial disability from \$42 to \$47. Provides that death benefits to a child or other dependent shall cease when the dependent dies, reaches 18, or becomes physically or mentally capable of wage earning over that age, unless there are other total dependents entitled to any unpaid death benefits.

H. 418 (Approved 6/29/65; effective 10/13/65). Authorizes any county court of the first and second class, including those



## Missouri

having a charter form of government, to elect to accept the provisions of the workmen's compensation law.

H. 481 (Approved and effective 7/21/65). Extends coverage of the workmen's compensation act to members and employees of the Division of Welfare in the Department of Public Health.

## MONTANA

(Regular Session: 1/4/65--3/10/65)

### DISCRIMINATION IN EMPLOYMENT

Ch. 201 (Approved 3/6/65; effective 7/1/65). Makes it a misdemeanor to deny the right of employment to any person because of his race, creed, color, or national origin, by refusing to hire, discharging, barring from employment, or discriminating in compensation or other conditions of employment.

### INDUSTRIAL RELATIONS

H. J. Res. 34 (Approved 3/2/65). Resolves that the Montana Legislature strongly endorse the recommendation of the President of the United States to the Congress that it repeal section 14(b) of the Labor Management Relations (Taft-Hartley) Act.

### WAGE PAYMENT AND WAGE COLLECTION

Ch. 155 (Approved 3/3/65; effective 7/1/65). Requires the lessee of premises or equipment used in conducting a business as a restaurant, bar, or tavern to file a payroll bond with the Commissioner of Labor and Industry at least equal to double the semimonthly payroll as security for wages. Makes the lessor jointly liable for unpaid wages if such bond is not obtained.

### WORKMEN'S COMPENSATION

Ch. 49 (Approved 2/25/65; effective 7/1/65). Provides that the legal defense of independent contractor will bar industrial accident claims only when such defense is interposed on behalf of a party who has previously required the claimant's immediate employer to come within the workmen's compensation act.

Ch. 50 (Approved 2/25/65; effective 7/1/65). Specifically adds every prime and independent contractor to the definition of employer.

Ch. 81 (Approved 2/26/65; effective 7/1/65). Authorizes the Industrial Accident Board to order the repair or replacement of any prosthetic appliance damaged in an industrial accident.

## Montana

Ch. 92 (Approved 2/27/65; effective 7/1/65). Exempts diseases due to ionizing radiation from those diseases for which no benefits will be paid unless disability results within 120 days or death results within 1 year from the last day upon which the employee actually worked for the employer against whom compensation is claimed, except where death results during a period of continuous total disability. In the case of disability or death due to ionizing radiation, allows claim for benefits to be filed more than 1 year after the last day upon which the employee worked for the employer.

Ch. 95 (Approved 2/27/65; effective 7/1/65). Adds asbestosis to those diseases termed compensable occupational diseases.

Ch. 111 (Approved 3/1/65; effective 7/1/65). Requires the Industrial Accident Board to furnish to indigent claimants a transcript at its own expense if it is found that a claimant appealing to the Supreme Court from a District Court judgment is actually indigent. Requires the Board to contest the allegations of the claimant's affidavit within 10 days from receipt or be in default.

Ch. 149 (Approved 3/3/65; effective 7/1/65). Raises maximum weekly benefits for death and all types of disability from \$29-\$50 to \$35-\$56, according to the number of dependents. Increases from \$25.50 to \$31.50 the minimum weekly benefits for death and all types of disability except permanent partial disability.

Ch. 267 (Approved 3/10/65; effective 7/1/65). Amends provisions of the public welfare act providing for aid to a person with silicosis. Provides that he shall receive public aid sufficient to bring his income, including any income from workmen's compensation benefits, to \$90 per month (rather than \$75 as before).

## NEBRASKA

(Regular Session: 1/5/65--8/17/65)

### DISCRIMINATION IN EMPLOYMENT

Ch. 276 (Approved and effective 8/3/65). A fair employment practice act. Prohibits discrimination in employment because of race, color, religion, sex, or national origin, by employers, employment agencies, and labor organizations. Makes unlawful such practices as refusing to hire; discharging; discriminating with respect to compensation or other conditions of employment; excluding or expelling from union membership; refusing to refer for employment; discriminating in admission to apprenticeship and other training programs; and discriminatory advertising. Provides that the act does not apply where religion, sex, or national origin is a bona fide occupational qualification.

Exempts employers of less than 100 persons the first year, 75 the second year, 50 the third year, and 25 thereafter; Indian tribes; tax exempt private membership clubs; and domestic service.

## Nebraska

Specifies that it is not unlawful for a religious association or educational institution to employ individuals of that religion to perform related work, and enumerates several other practices that are not deemed unlawful, such as preferential treatment of Indians for work on or near the reservation.

Creates a seven-member Equal Employment Opportunity Commission to administer the law. Directs the Commission to receive and investigate complaints; to attempt to eliminate discrimination by conference, conciliation, and persuasion; to hold hearings; to issue orders requiring the respondent to cease and desist, and to take affirmative action, such as hiring or reinstatement, with or without back pay. Such orders are subject to judicial review and enforcement.

Requires inclusion of nondiscrimination provisions in State contracts and subcontracts. Specifies that this law does not repeal any municipal antidiscrimination ordinance.

### INDUSTRIAL RELATIONS

Legislative Res. 60 (Approved 7/19/65). Reaffirms the State's belief in the necessity of its "right-to-work" law, and states its disagreement with the efforts of the U.S. Congress to take from the States the right of self-determination in this area.

### PRIVATE EMPLOYMENT AGENCIES

Ch. 285 (Approved and effective 7/19/65). Sets the annual license fee for private employment agencies at \$100 in cities of the metropolitan class, \$75 in cities of the primary class, and \$50 for all other cities and villages. Formerly the law set a fixed license fee of \$50 for all areas in the State. Newly requires an employment agency to prominently post its schedule of fees and to file such schedule with the Commissioner of Labor.

Exempts from coverage of the law any person employing individuals to render part-time or temporary personal services for a third person if the person employing such individuals, in addition to paying wages or salaries, pays social security taxes and unemployment insurance, carries workmen's compensation insurance, and maintains responsibility for the acts of the employees while they render services to the third persons.

Requires a labor agent who solicits in the State for common or agricultural labor for employment outside the State to obtain a license as an employment agency, and to file monthly reports with the Commissioner of Labor containing specified information. Requires the Commissioner to cancel the license of every agent who fails to make and file such reports by the 10th day of each month for the preceding month.

### WORKMEN'S COMPENSATION

Ch. 278 (Approved 3/18/65; effective 11/18/65). Requires an employer, in addition to furnishing reasonable medical and

## Nebraska

hospital services for an injured worker, to furnish the first necessary prosthetic devices.

Ch. 279 (Approved 6/23/65; effective 11/18/65). Increases maximum weekly benefits for temporary total, permanent total, and permanent partial disability, and death, from \$40 to \$42, and the minimum from \$26 to \$28. Provides that after the first 300 weeks of total disability, the maximum weekly benefits shall be \$34, and the minimum \$24, rather than \$32 and \$22 as formerly. Increases the burial allowance from \$400 to \$500.

## NEVADA

(Regular Session: 1/18/65--4/4/65)

### APPRENTICESHIP

Ch. 77 (Approved and effective 2/25/65). Repeals the act which permitted the binding out as apprentices of minors, orphans, and destitute children by the boards of county commissioners.

### DISCRIMINATION IN EMPLOYMENT

Ch. 332 (Approved 4/5/65; effective 7/1/65). A civil rights act. Prohibits discrimination in employment because of race, color, religion, or national origin, by employers, employment agencies, or labor organizations. Makes unlawful such practices as refusing to hire; discharging; refusing to refer for employment; excluding from union membership; discriminating in admissions to apprenticeship or training programs; and discriminating in advertising; provides, however, that such practices are not unlawful where religion or national origin is a bona fide occupational qualification.

Exempts employers of less than 15 persons, Indian tribes, and tax exempt private membership clubs.

Specifies certain practices which are not unlawful, for example hiring by religious organizations and educational institutions persons of the same religion, and preferential hiring of Indians for work on or near the reservation.

Designates the Nevada Commission on Equal Rights of Citizens as the agency to administer the law. Authorizes the Commission to investigate complaints, to hold hearings, to make findings of fact, and to serve a copy of such findings on the guilty party. Provides for court enforcement if necessary. Authorizes the Commission to make rules and regulations.

### PRIVATE EMPLOYMENT AGENCIES

Ch. 43 (Approved 2/19/65; effective 7/1/65). Requires an applicant for a private employment agency license to post a bond with the Labor Commissioner, rather than the city or county clerk as previously.



Nevada

WAGE PAYMENT AND WAGE COLLECTION

Ch. 178 (Approved 3/19/65; effective 7/1/65). Authorizes the Labor Commissioner to bring a single action against any one employer on any number of assigned claims.

WAGES AND HOURS--ALL WORKERS

Ch. 333 (Approved 4/5/65; effective 7/1/65). Establishes a minimum wage rate of \$1.25 an hour for men 18 years of age and over, and \$1.00 an hour for boys under 18. Increases the minimum rate from \$1.15 to \$1.25 an hour for women 18 and over and from \$1.00 to \$1.10 for girls under 18. Retains the overtime provision for women and girls but does not make this provision applicable to men and boys. Retains also the lower rates permitted during a 3-month probationary period for women and girls, but provides no similar rate for men and boys.

WORKMEN'S COMPENSATION

Ch. 51 (Approved and effective 2/19/65). Requires the Colorado River Commission to provide workmen's compensation coverage to the members of the Eldorado Valley advisory group.

Ch. 126 (Approved 3/16/65; effective 7/1/65). Raises from \$300 to \$325 the maximum limit on monthly wages which may be taken into account in determining monthly benefits for temporary total disability, thus increasing from \$45 to \$48.75 the maximum weekly benefit for a workman without dependents, and from \$62.31 to \$67.50 the maximum weekly benefit for a workman with dependents.

Ch. 127 (Approved 3/16/65; effective 7/1/65). Raises from \$100 to \$110 the maximum limit on monthly wages which may be considered in determining benefits for permanent partial disability, thus raising maximum weekly benefits from \$23.08 to \$25.37.

Ch. 147 (Approved 3/19/65; effective 7/1/65). Raises from \$500 to \$650 the maximum burial allowance.

Ch. 177 (Approved 3/19/65; effective 7/1/65). Changes the maximum monthly benefits for permanent total disability from \$162.50 to 65 percent of the average monthly wage, and from \$37.50 to 15 percent of such wages for each dependent, up to a maximum of 90 percent of average monthly wage. Thus raises the minimum and maximum weekly benefits for permanent total disability from \$37.50-\$51.92 to \$40.50-\$56.08. Provides that recipients who have been adjudged permanently disabled and are receiving \$162.50 per month shall not participate in the increase in benefits provided by this act.

Ch. 213 (Approved and effective 3/29/65). Adds firemen to persons covered by the occupational disease provisions. Specifies that disease of the lungs of full-time and volunteer firemen are occupational diseases if caused by exposure to heat, smoke, fumes

## Nevada

or gases arising out of and in the course of their employment. Requires such firemen to have been employed in firefighting full time for 2 years or more, and requires an X-ray picture of the lungs and a written report of the medical examiner, both revealing no evidence of the disease, within 12 months prior to the filing of a claim for compensation.

Ch. 250 (Approved 4/1/65; effective 7/1/65). Authorizes the Industrial Commission to enter into cooperative agreements with the State Board of Vocational Education for the rehabilitation of disabled employees. Permits a disabled employee to authorize the payment of any benefits due him under the workmen's compensation act to the Board for the benefit of such disabled employee. Specifies that, within the limits of the money so made available, the Board shall provide allowances for living expenses while the disabled employee is undergoing examination, treatment, or receiving restorative or vocational training, medical and psychological examinations and treatment, and prosthetic appliances.

Ch. 374 (Approved and effective 4/13/65). Extends from July 1, 1965 to July 1, 1967 the period during which claimants or their dependents who have received the maximum benefits payable under the occupational disease act for disability or death from silicosis shall be entitled to supplemental compensation not exceeding \$3,000.

Ch. 513 (Approved and effective 4/14/65). Extends until July 1, 1967 the special program administered by the Department of Health for persons suffering from silicosis, by appropriating funds for this purpose.

## NEW HAMPSHIRE

(Regular Session: 1/6/65--7/2/65)

### APPRENTICESHIP

Ch. 66 (Approved 4/21/65). Requires the Apprenticeship Council to adopt rules and regulations to ensure nondiscrimination in all phases of apprenticeship and employment during apprenticeship.

### CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 295 (Approved 7/7/65). Limits employment for minors under 16 to 4 hours on a schoolday, 8 hours on Saturdays or Sundays, and 28 hours during any week school is in session. Makes the maximum 10¼-hour day, 54-hour week applicable to employment during school vacations for such minors.

## New Hampshire

Exempts the employment of minors by a parent, grandparent, or custodian from the minimum age provisions.

Newly authorizes the Labor Commissioner, after public hearing, to determine occupations hazardous for minors under 18. Prohibits the employment of such minors in any occupation determined hazardous by the Secretary of Labor under the provisions of the Fair Labor Standards Act.

Requires any employer subject to the provisions of the Fair Labor Standards Act to procure employment certificates for minors between 16 and 18.

## DISCRIMINATION IN EMPLOYMENT

Ch. 297 (Approved 7/7/65). Prohibits discrimination in employment because of race, color, religious creed, or national origin by employers, employment agencies, and labor organizations. Makes unlawful such practices as refusing to hire; discharging; excluding from full union membership rights; printing advertisements, using application forms, or making inquiries or records expressing any limitation or discrimination.

Exempts employers of less than six persons; nonprofit social clubs, fraternal, charitable, educational, and religious organizations; family employment; and domestic service.

Creates a Commission for Human Rights composed of five members to be appointed by the Governor with the consent of the Council. Authorizes the Commission to receive and investigate complaints filed by aggrieved persons or by the Attorney General; attempt to eliminate discrimination by conference, conciliation, and persuasion; hold hearings; issue orders requiring guilty parties to cease and desist and to take affirmative action, such as hiring or restoring to union membership. Provides that such orders are subject to judicial review and enforcement.

Authorizes the Commissioner to make necessary rules and regulations, to create advisory agencies and conciliation councils, and to conduct an education program.

## INDUSTRIAL RELATIONS

Ch. 130 (Approved 6/2/65). Prohibits any person from knowingly employing a professional strikebreaker in place of an employee who is on strike or locked out. Further prohibits a professional strikebreaker from offering to or taking the place of an employee involved in a strike, lockout, or labor dispute. Prohibits hiring of strike-replacements who, to the employer's knowledge, are unaware of the existence of the labor dispute. Prohibits employment agencies from referring persons for employment without adequate notice to the person referred of the existence of the strike, lockout, or labor dispute.

Prohibits any individual from picketing for compensation in connection with any strike, lockout, or labor dispute in any trade or industry unless he is normally and customarily employed in such trade or industry.

## New Hampshire

S. Con. Res. 3 (Adopted 7/1/65). Creates a Labor-Management Council to provide closer liaison between management and labor. Requires the Council to hold at least four meetings annually.

### OCCUPATIONAL SAFETY AND HEALTH

Ch. 336 (Approved 7/8/65; effective 7/1/65). Creates a State Radiation Advisory Committee composed of nine members, appointed by the Governor with the consent of the State Council. Requires the Committee to keep the Governor and Council informed on matters relative to radiation problems within the State, to recommend programs and policies to the Radiation Control Agency, and to serve as advisors to the Director of the Agency.

Sets a schedule of fees, to be assessed annually, for the licensing or registration of radiation sources and devices. Specifies that all fees and fines collected shall be kept in a separate fund to be used for the purpose of radiation protection.

### PRIVATE EMPLOYMENT AGENCIES

Ch. 130. See Industrial Relations.

### WAGES--PREVAILING WAGES

Ch. 287 (Approved 7/7/65). Requires the Commissioner of Labor, in determining hourly minimum wage rates for workers employed in specified public works, to use the minimum rates in the area where the public work is to be performed rather than prevailing rates in the city or town.

In determining the rates, provides that payments included in fringe benefits shall not be limited to health, welfare, or pension plans, as formerly, but shall include "other plans." Provides that payment of comparable benefits, other than those specified, may be credited against determined wage rates upon authorization of the Commissioner.

### WAGES AND HOURS--ALL WORKERS

Ch. 202 (Approved 6/28/65; effective 8/27/65). Amends the exemption provision from the minimum wage law for employees subject to the Federal Fair Labor Standards Act to provide that if the State rates are higher they shall apply to such employees. Exempts from the law a child working for his parent or person standing in place of a parent, and a spouse working for the other spouse on a voluntary basis.



## New Hampshire

### WORKMEN'S COMPENSATION

Ch. 300 (Approved 7/7/65; effective 7/1/65). Extends coverage to any employer of two or more, rather than three or more, employees and covers farmworkers when more than five such workers are employed.

Increases from \$45 to \$50 the maximum weekly benefits for all types of total disability and death, and from \$15,000 to \$17,050 the aggregate maximum. Provides that such weekly payments made to the employee before his death shall be deducted from the total period of 341 weeks.

Increases maximum benefits from \$45 to \$50 a week for non-schedule permanent partial disability and from \$43.50 to \$48.50 for schedule injuries. Sets a maximum of \$500 for burial allowances if the deceased employee leaves any dependents, but retains the maximum of \$800 in nondependency death cases.

Authorizes the Labor Commissioner to grant 1-year extensions of medical and hospital benefits for an accident occurring after July 1, 1961. Provides that such extensions may be repeated annually if additional treatment is necessary. (Retains authority for the Commissioner to grant 6 months' extensions for injuries occurring prior to July 1, 1961.)

Provides that for the purpose of giving notice of an occupational disease, the date of the first treatment by a physician shall be deemed the date of injury. In cases of diseases in which the nature of the disease or its employment relationship is unknown to the employee or his dependent, specifies that the time for filing notice shall not begin to run until the employee or his dependent knows or should have known the nature of the disease or its possible employment relationship, whichever is earlier.

Suspends payments to the second-injury fund from July 1, 1965 to July 1, 1967.

## NEW JERSEY

(Regular Session: 1/12/65--1/11/66)

### CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 3 (Approved and effective 2/15/65).

Ch. 288 (A 1964 law; approved and effective 2/15/65). Amends the provisions regulating the employment of newspaperboys.

Provides for a special permit to be issued by the newspaper publisher, rather than the regular certificating officer, upon application by the parent or guardian, and upon receiving satisfactory proof of age and a statement of physical fitness. Requires permit forms to be prescribed and approved by the Board of Education. Specifies that the permit shall remain in force until the newspaper publisher has knowledge of or is notified by the issuing officer or the Commissioner of Labor and Industry that the boy is physically unfit or that the work is harmful to his education.

## New Jersey

Prohibits nightwork for such boys between 12 and 14 years of age from 7 p.m. to 6 a.m., rather than from 6 p.m. to 7 a.m., and for those between 14 and 18 from 8 p.m. to 5:30 a.m., rather than 6 p.m. to 5:30 a.m. Provides that combined hours of work and hours in school may not exceed 8 hours a day and 40 hours a week for such boys.

(Retains provisions requiring special permits for boys 14-16, and regular certificates for boys 16-18, and the hours and nightwork provisions in other street trades.)

A. Con. Res. 29 (Adopted 2/8/65). Reconstitutes and continues the eight-member commission, established in 1964, to study the student dropout problem in the public high schools and to make proposals for reducing or eliminating the problem.

### HOURS OF WORK

Ch. 146 (Approved and effective 7/19/65). Amends the law requiring half-hour meal periods for employees of factories, mills, mines, and places where goods are manufactured. Deletes application to "workshops." Specifies that the meal period may be reduced to 20 minutes on joint application by the employer and the majority of his employees or their collective bargaining agent, provided wages are paid for the meal period and the application is approved by the Commissioner of Labor and Industry.

### OCCUPATIONAL SAFETY AND HEALTH

Ch. 154 (Approved and effective 7/19/65). Enacts a "Worker Health and Safety Act" applicable to all places of employment and repeals the law which was applicable to specified industries. Provides that the act shall not apply to employment in agriculture or domestic service, places where less than four are employed except where manufacturing of goods is carried on, and establishments with less than 10 employees which are devoted exclusively to the sale of goods, or furnishing of services, at retail. As before, provides for the issuance of rules and regulations and requires every employer to furnish a safe place of employment.

Establishes within the Department of Labor and Industry a Bureau of Engineering and Safety to enforce the act. Creates the State Industrial Safety Committee of not more than 100 members to be appointed by the Commissioner to advise him with respect to rules and regulations and on matters of safety promotion and accident prevention. Establishes a 14-member Industrial Safety Board, consisting of the Commissioner of Labor and Industry who serves as chairman and 13 members appointed by the Governor. Makes it the duty of the Board to act upon proposed rules and regulations.

Provides that any rules and regulations in effect shall remain in force for 5 years or unless replaced before that time.

## New Jersey

Ch. 159 (Approved 7/22/65; effective 7/1/65). Requires all pupils, teachers, and visitors in the public schools to wear eye-protective devices while participating in or directly observing certain vocational or industrial art shop or laboratory activities that involve the use of materials which may endanger their vision.

Specifies that the Commissioner of Education shall prescribe the types of such protective devices, and, in doing so, shall be guided by standards set by the American Standards Association.

### STATE DEPARTMENT OF LABOR

Ch. 154. See Occupation Safety and Health.

### WAGE PAYMENT AND WAGE COLLECTION

Ch. 173 (Approved and effective 9/30/65; inoperative for 60 days thereafter). Revises the wage payment and wage collection law. Requires every employer to pay wages at least twice a month, rather than every 2 weeks, and reduces the holdover period from 12 to 10 days. Deletes the exemption for agricultural workers and watermen. Provides that independent contractors or subcontractors shall not be considered employees.

Permits the employer to establish regular paydays less frequently than semimonthly for bona fide executive or supervisory employees, provided they are paid at least once a month on a regularly scheduled payday.

Requires that an employee be paid on the next regular payday following discharge, lay-off, resignation, or when a labor dispute is in process. Allows the employer an additional 10 days if the employees who make up the payroll are involved in the dispute.

Requires the employer to notify his employees at the time of hiring of the rate of pay and the regular payday, and to notify him of any changes prior to such change. Sets out the deductions that may be withheld from the employee's pay and requires the employer to furnish him with a statement of deductions each pay period. Requires the employer to keep wage and hour records for employees whose wages are determined by the hours worked, and to preserve such records for as long as the Commissioner may prescribe.

Specifically authorizes the Commissioner to enforce and administer the act, to hold hearings, and to investigate charges of violation. Gives him authority to enter and inspect places of employment and to issue rules and regulations, after public hearing.

Retains provisions establishing the Wage Collection Bureau, which is authorized to make a determination or award where the sum in controversy does not exceed \$300.

### WORKMEN'S COMPENSATION

Ch. 291 (Approved and effective 2/25/65). Provides that any condition or impairment of health of a volunteer fireman caused by any disease of the respiratory system shall be presumed to be an occupational disease unless the contrary is proved.

## New Jersey

Specifies that the disease must manifest itself within 90 days from the date medically determined to be the cause and during the period the fireman is an active member of the department.

S. Con. Res. 21 (Adopted 5/24/65). Creates a Joint Legislative Commission to study the provisions of the workmen's compensation law pertaining to medical assistance, the selection of physicians, and the second-injury fund, and to consider the merits of suggested proposals and amendments. Requires the Commission to report its findings and recommendations to the legislature.

## NEW MEXICO

(Regular Session: 1/19/65--3/20/65)

### DEBT POOLING

Ch. 80 (Approved 3/17/65). Prohibits the business of debt pooling. Exempts certain persons or groups, including attorneys admitted to practice in the State; any regular or full-time employee of the debtor; any person acting pursuant to a court order, or a law of the State or the United States; and nonprofit corporations organized as a community effort to assist debtors.

Directs the court, in any action brought by the Attorney General, to enjoin any person from acting as a debt adjuster.

### INDUSTRIAL RELATIONS

Ch. 274 (Approved 4/2/65). Authorizes municipalities wishing to qualify for a grant under the Federal Urban Mass Transportation Act of 1964 to enter into collective bargaining with an appropriate union representing employees of municipal transit systems. Prohibits such employees from striking or picketing in carrying out such rights.

### WAGES--PREVAILING WAGES

Ch. 35 (Approved 3/3/65). Repeals and reenacts the prevailing wage law. Newly defines "wages" as the basic hourly rate of pay, the rate of contribution made by the contractor or subcontractor to a trustee or a third person pursuant to a fund, plan, or program, and the cost to the employer of furnishing such fringe benefits as health, welfare, and pension plans, vacation and holiday pay, defraying costs of apprenticeship, or other bona fide benefits, but only where the employer is not required to provide such benefits by other Federal, State, or local law.

### WAGES AND HOURS--ALL WORKERS

Ch. 121 (Approved 3/18/65). Increases the minimum wage rate from 70 cents to 80 cents for service employees and from 80 cents



## New Mexico

to 90 cents for other employees with certain exceptions. Adds an exemption from the law for college or university students working after school hours or during vacations.

### WORKMEN'S COMPENSATION

Ch. 39 (Approved 3/5/65). Provides that the time limits specified in the law do not apply in case of an employee whose disability or death is due to exposure to radioactive or fissionable materials, but specifies that no compensation shall be paid unless such disability or death occurs within 10 years from the last day upon which the employee actually worked for the employer against whom compensation is claimed.

Ch. 252 (Approved 3/31/65). Increases from \$38 to \$40 the maximum weekly benefits payable for total disability. Increases from \$3,000 to \$5,000 the maximum initial medical and related benefits, and from \$15,000 to \$25,000 the total maximum medical benefits, including supplemental medical services that can be ordered by the district court. Increases from \$3,000 to \$5,000 the maximum liability of the insurer for medical benefits unless the employer has insured against such additional liability.

Increases from \$500 to \$750 the maximum funeral allowance.

Ch. 299 (Approved 4/3/65). Amends the New Mexico occupational disease disablement law. Raises from \$30 to \$50 per week the maximum weekly benefit for total disability or death and increases the minimum weekly benefit from \$17 to \$24. Reduces from 550 to 500 weeks the maximum period for which disability benefits shall be paid, and extends from 300 to 500 weeks the period death benefits are payable to dependents. Raises from \$250 to \$750 the maximum funeral allowance.

Raises from \$700 to \$5,000 the maximum basic medical and surgical benefits to be furnished by the employer, and sets a maximum of \$25,000 on supplemental benefits that may be ordered by the court.

Raises maximum benefits for disability or death due to silicosis or asbestosis, from \$7,500 to \$10,000 the first year this law is effective, increased by an additional \$1,000 per year thereafter, up to \$20,000.

Extends the time limitation on filing of claims for disability from occupational diseases from 60 days to 1 year after the beginning of disablement and from 6 months to 1 year after death in the case of filing claim for death benefits.

## NEW YORK

(Regular Session: 1/6/65--6/22/65)

### AGRICULTURAL WORKERS

Ch. 589 (Approved and effective 6/28/65). Authorizes the Industrial Commissioner to enter into agreements with Federal

agencies and political subdivisions of the State relating to the Federal Farm Labor Contractor Registration Act and the Federal antipoverty program, and to receive funds in connection with such programs.

H. Res. 215 (Adopted 6/3/65). Creates an eight-member Joint Legislative Committee on Migrant Labor to study and investigate all aspects of the problems of migrant labor. Requires the Committee to submit its legislative proposals by December 15, 1965.

#### APPRENTICESHIP

Ch. 330 (Approved and effective 6/7/65). Increases the membership of the State Apprenticeship Council from five to seven representatives each from employer and employee organizations.

Ch. 884 (Approved and effective 7/16/65). Amends the apprenticeship law to give the Industrial Commissioner the power to promote apprenticeship programs for persons on parole.

#### CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 43 (Approved and effective 4/13/65). Permits minors of 16 and 17 to be employed without an employment certificate in casual work that requires the use of power-driven machinery ordinarily used in yardwork and household chores. Formerly the use of any power-driven machinery was prohibited.

Ch. 464. See Private Employment Agencies.

Ch. 645 (Approved and effective 7/2/65). Exempts from the certificate requirements minors 16 years of age and over enrolled with and attending regularly an institution of higher learning when employed by or under the supervision of such institution.

#### DISCRIMINATION IN EMPLOYMENT

Ch. 4 (Approved and effective 3/18/65). Authorizes the State Commission for Human Rights to file complaints on its own motion alleging violations of the antidiscrimination law, and to initiate investigations and studies to carry out its purposes.

Ch. 516 (Approved 6/28/65; effective 9/1/65). Amends the law against discrimination (which prohibits discrimination in employment because of race, creed, color, national origin, or age) to also prohibit such discrimination if based on sex. Formerly the right to obtain employment without discrimination because of sex was declared to be a civil right, but such discrimination was not prohibited.

## New York

Ch. 543 (Approved and effective 6/28/65). Amends the general municipal law which authorizes creation of local commissions on human rights with limited enforcement authority. Provides that the powers of the New York City Commission are not so limited, and that this Commission has concurrent jurisdiction over matters within the city with the New York State Commission for Human Rights.

Ch. 851 (Approved 7/16/65; effective 9/1/65). Makes various amendments to the law against discrimination. Makes the law applicable to employers of four or more, rather than six or more persons. Deletes the exemption of social clubs and nonprofit fraternal, charitable, educational, or religious organizations, but permits religious organizations to give preference to persons of the same religion.

Makes it an unlawful practice for an employment agency to discriminate against a person because of his age, race, creed, color, or national origin in receiving, classifying, disposing, or otherwise acting on applications for its services, or in referring applicants to employers.

Makes various changes in the enforcement provisions. Provides for conciliation agreements, which shall include a requirement that the respondent refrain from future violations of the law, and further provisions as agreed upon between the parties. Makes it an unlawful practice for any party to violate the terms of such agreements. Specifies that cease-and-desist orders may require payment of compensatory damages to aggrieved persons.

A. Res. 217. See Older Workers.

## EMERGENCY RELAXATIONS

Ch. 398 (Approved and effective 6/21/65). Extends until July 1, 1968, the New York State defense emergency act, which authorizes the Industrial Commissioner to grant employers engaged in defense work dispensation from certain legal requirements as to hours and other conditions of work.

## INDUSTRIAL RELATIONS

Ch. 133 (Approved 4/26/65; effective 5/1/65). Extends coverage of the labor relations act to hospital employees throughout the State. Previously, such coverage was limited to hospital employees in New York City only.

Ch. 845. See Wages--Prevailing Wages.

## OCCUPATIONAL SAFETY AND HEALTH

Ch. 124 (Approved and effective 4/26/65). Amends the boiler law by exempting from inspection requirements the boiler of a

miniature model locomotive, boat, tractor, or stationary engine constructed and maintained as a hobby and not used for commercial purposes.

Ch. 166 (Approved 5/11/65; effective 9/1/65). Amends the education law to require students and teachers in all schools and other educational institutions to wear eye-safety devices while participating in certain instructional or experimental programs involving specified materials or operations.

In addition, requires that visitors to the shops or laboratories where such programs are conducted are to be furnished with and wear such eye-safety devices.

Ch. 399 (Approved 6/21/65; effective 10/1/65). Authorizes the Board of Standards and Appeals to establish a schedule of fees for licenses that may be required as a condition of carrying on any hazardous industry or occupation.

Clarifies the Board's authority to issue rules and regulations in any occupation found particularly hazardous.

Ch. 618 (Approved 6/28/65; effective 7/1/65). Provides that the Board of Standards and Appeals may establish a 2-hour shift with a minimum rest interval of  $1\frac{1}{2}$  hours for work in compressed air where the pressure is between normal and 16 pounds and the total working time does not exceed 4 hours in a 24-hour period.

#### OLDER WORKERS

A. Res. 217 (Adopted 6/9/65). Establishes a Joint Legislative Committee to study problems of the aging, including discrimination in employment because of age.

#### PRIVATE EMPLOYMENT AGENCIES

Ch. 464 (Approved 6/23/65; effective 7/1/65). Prohibits an employment agency from recruiting any person under 18 years of age from outside the State for domestic employment in the State.

Ch. 834 (Approved 7/16/65; effective 10/1/65). Regulates the recruitment of persons from outside the continental United States for employment within the United States as domestic or household employees. Prohibits an employment agency from directly or indirectly recruiting or referring any person for employment who is under age 18 at the time of emigration to the United States.

Requires an employment agency (1) to confirm the statements in the employee's application relating to age and references given, and to inform the employer of the applicant's statement of qualification, age, and experience; (2) to provide the applicant with an accurate statement of the working conditions of the job, the amount of the placement fee and the date payment is due; and (3) to provide the employee with meals and lodging during a 90-day period after she arrives in this country if she is without employment and waiting to obtain another job, and return transportation



if during such 90-day period she becomes disabled and is in financial distress. Also requires the employment agency to meet the cost of hospitalization if the employee is hospitalized within the 90-day period, but permits the agency to provide a basic 21-day hospitalization insurance policy.

Establishes a total maximum placement fee of not more than 11 percent of the employee's agreed or anticipated first full year's wages, payable by both the employee and the employer; specifies that the employee may not be charged more than 25 percent of this total fee. Provides that if the employer pays the entire fee, no fee may be charged the employee. Excludes from determination of the first full year's wages the value of meals and lodging. Makes provision for payments due in case job terminates within a specified period.

#### TRAINING AND RETRAINING

Ch. 1050 (Approved and effective 7/20/65). Provides that students enrolled in a work-study program in a public college of the State or of any political subdivision thereof under the Federal Economic Opportunity Act or the Federal Vocational Education Act shall be deemed employees in the unclassified service of the State, except that such students are ineligible for participation in the public retirement system or for unemployment insurance benefits. Provides that such enrollees are eligible to receive benefits under the workmen's compensation law, based on average weekly wages paid the enrollee but in no event less than \$30.

A. Res. 232 (Adopted 6/15/65). Creates the Joint Legislative Committee on Commerce, Economic Development and Tourism to study the need for expansion of the economy to provide jobs for entrants into the labor market. Provides that the study shall include the effect of existing legislation on the retention and expansion of industry and business; opportunities for retraining and relocating employees adversely affected by local economic conditions; the training of employees in industrial or agricultural skills and trades, and the promotion of farm training and farm modernization.

Requires the Committee to submit legislative proposals to the legislature by December 15, 1965, and a report of its activities by March 31, 1966.

#### WAGES--EQUAL PAY

Ch. 354 (Approved 6/14/65; effective 9/1/65). Broadens the equal pay law to conform to the Federal equal pay act. Provides that an employee shall be paid at the same rate as an employee of the opposite sex in the same establishment for equal work on a job requiring equal skill, effort, and responsibility, and which is performed under similar working conditions. Permits a differential based on a seniority system, a merit system, a system which measures earnings by quantity or quality of production, or based on any factor other than sex.

WAGES--PREVAILING WAGES

Ch. 845 (Approved 7/16/65; effective 9/1/65). Amends the law regulating the keeping of payroll records under the public works act and the law regulating the filing of annual statements on employee welfare funds to provide that records or statements be affirmed as true under penalty of perjury, in lieu of the requirement that records or statements be verified.

WAGES AND HOURS--ALL WORKERS

S. Res. 95 (Adopted 3/24/65). Memorializes the Congress of the United States to establish a nationwide minimum wage of \$1.50 an hour.

WORKMEN'S COMPENSATION

Ch. 311 (Approved 5/28/65; effective 7/1/65). Amends the voluntary firemen's benefit law. Increases the maximum weekly benefits for all types of disability and death from \$55 to \$60. Makes increases in lump-sum payments to widows upon remarriage.

Specifies that the increases provided by this act shall apply to any such firemen injured on or after July 1, 1965, or to his dependents if death occurs after that date from injury in the line of duty.

Ch. 391 (Approved 6/14/65; effective 7/1/65). Increases from \$55 to \$60 per week the maximum benefits payable for all types of disability and for death.

Ch. 500 (Approved 6/28/65; effective 6/1/65). Requires the payment of benefits from the date of injury if the disability lasts more than 14, rather than 28 days.

Ch. 587 (Approved 6/28/65; effective 7/1/65). Extends coverage of the workmen's compensation law to all elected and appointed public officers of the State.

Ch. 613 (Approved 6/28/65; effective 7/1/65). Removes the requirement that occupational disease claims arising from silicosis or other dust diseases must be filed within 2 years from the last injurious exposure. Provides, instead, that claims shall be filed within 90 days after disablement and after knowledge that the disease is or was due to the nature of the employment.

Ch. 925 (Approved and effective 7/17/65). Adds optometric services, eyeglasses, false teeth, and artificial eyes to those services or appliances that an employer must furnish, replace, or repair for an injured employee.

Ch. 987 (Approved 7/19/65; effective 7/1/65). Extends coverage of the workmen's compensation law to county and deputy county fire coordinators.

Ch. 1050. See Training and Retraining.

S. Res. 216 (Adopted 6/22/65). Directs the Chairman of the Workmen's Compensation Board, in consultation with the workmen's compensation advisory council, to make a study of means of providing workmen's compensation coverage for partial disability resulting from silicosis or other dust diseases and to make recommendations to the legislature on or before February 1, 1966.

## NORTH CAROLINA

(Regular Session: 2/3/65--6/16/65)

### HOURS OF WORK

Ch. 724 (Ratified and effective 5/28/65). Exempts fruit and vegetable processing plants from the law setting maximum hours, which applies to both men and women.

### INDUSTRIAL RELATIONS

Res. Ch. 69 (Ratified 6/2/65). Memorializes the Congress of the United States to refrain from enacting legislation which would repeal the provisions of section 14(b) of the Taft-Hartley Act.

### OCCUPATIONAL SAFETY AND HEALTH

Ch. 858 (Ratified and effective 6/8/65). Authorizes North Carolina to enter into the Southern Interstate Nuclear Compact.

### WAGES AND HOURS--ALL WORKERS

Ch. 229 (Ratified 4/13/65; effective 1/1/66). Increases the minimum wage rate from 85 cents to \$1.00 an hour.

### WORKMEN'S COMPENSATION

Ch. 419 (Ratified and effective 5/5/65). Provides that if a deceased employee leaves neither whole nor partial dependents, the compensation payable for death shall be commuted to its current value and paid in a lump sum to the next of kin. Provides that no compensation shall be payable if the deceased employee leaves no dependents or next of kin, except that a burial allowance up to \$400 shall be paid to the person entitled thereto.

Ch. 707 (Ratified and effective 5/26/65). Provides that firemen and members of a county, municipal corporation, fire protection district, sanitary district, or incorporated fire department shall

## North Carolina

be covered by the workmen's compensation act while responding to a call or working at a fire or other emergency either outside or within their territorial limits.

Ch. 907 (Ratified and effective 6/10/65). Provides that should death result from asbestosis or silicosis or from a secondary infection or a disease developing from asbestosis or silicosis within 350 weeks of last exposure, the employer shall pay death benefits.

## NORTH DAKOTA

(Regular Session: 1/5/65--3/12/65)

### AGRICULTURAL WORKERS

Ch. 237. See Wages and Hours--All Workers.

### CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 236. See State Department of Labor.

### DISCRIMINATION IN EMPLOYMENT

Ch. 235. See Older Workers.

### INDUSTRIAL RELATIONS

Ch. 236. See State Department of Labor.

Ch. 239 (Approved 3/19/65; effective 7/1/65). Repeals the law which authorized the Commissioner of Agriculture and Labor to appoint a labor dispute board to mediate, conciliate, or arbitrate labor disputes and obtain an amicable settlement. (North Dakota has a labor relations act which provides for mediation of labor disputes involving the unfair labor practices specified in the act.)

### OCCUPATIONAL SAFETY AND HEALTH

Ch. 196 (Approved 3/6/65; provisions for control of byproduct, source, and special nuclear materials to be effective upon execution of a Federal-State agreement; provisions for control of other radiation sources to be effective 7/1/65). Designates the State Department of Health as the State radiation control agency. Requires licensing or registration of persons using, manufacturing, transporting, or possessing radiation sources. Directs the Department to provide by regulation for licensing of operations involving



## North Dakota

byproduct, source, or special nuclear materials, and authorizes it to exempt nonhazardous sources from such requirements.

Authorizes the Governor to enter into an agreement with the Federal Government for transfer to the State of certain responsibilities with respect to sources of ionizing radiation.

### OLDER WORKERS

Ch. 235 (Approved 3/15/65; effective 7/1/65). Makes it unlawful for any employer to refuse to hire, license, or to discharge any individual between the ages of 40 and 65, solely on the ground of age, when the reasonable demands of the position do not require such an age distinction, provided the individual is qualified to perform the work. Specifies that this does not affect a retirement policy or system which is not a subterfuge to evade the purposes of this act.

### STATE DEPARTMENT OF LABOR

Ch. 236 (Approved 3/19/65; effective 1/1/67, except the provisions pertaining to the election and assuming of office by the Commissioner of Labor). Creates the North Dakota Department of Labor and transfers to it the duties and functions of the Labor Division of the Department of Agriculture and Labor. Makes the new Department responsible for the administration and enforcement of the laws dealing with wages and hours, industrial relations, and child labor.

Specifies that the Commissioner of Labor shall be elected in the 1966 election on a no-party ballot and take office the first Tuesday in January, 1967. Provides that the duties of the Commissioner of Labor shall include improving the working and living conditions of employees and advancing their opportunities for profitable employment, promoting the welfare of both the wage earners and industries, promoting friendly and cooperative relations between employees and employers, and acquiring and disseminating information on subjects connected with relations between employers and employees, and hours of labor and working conditions.

### WAGE PAYMENT AND WAGE COLLECTION

Ch. 240 (Approved 3/19/65; effective 7/1/65). A wage payment and wage collection law. Requires every person, firm, partnership, association, corporation, receiver or other officer of a court of the State, to pay wages at least twice a month on regular paydays, in lawful money or by checks on banks convenient to the place of employment.

Requires payment to discharged employees within 24 hours of separation; and to employees who quit or are unable to work as a result of an industrial dispute, on the next regular payday.

Authorizes the Commissioner of Labor to issue rules and regulations and to enter places of employment to inspect records.

## North Dakota

Specifically authorizes the Commissioner to take assignment of wage claims not exceeding \$200 for any one claim, and to join various claimants in one cause of action.

### WAGES--EQUAL PAY

Ch. 238 (Approved 3/15/65; effective 7/1/65). Prohibits discrimination between employees in the same establishment on the basis of sex, by paying wages to any employee at a rate less than that paid to an employee of the opposite sex for comparable work on jobs with comparable requirements relating to skill, effort, and responsibility, but not to physical strength. Permits non-discriminatory differentials paid pursuant to established seniority systems, job description systems, merit increase systems, or executive training programs. Prohibits reduction of wage rates of any employee in order to comply with this law. Covers all employed individuals, including employees of the State or its political subdivisions, but not domestic employment in private homes.

Designates the Commissioner of Agriculture and Labor as the administrator. Authorizes the Commissioner to inspect and copy employment records (with employer's consent or under court order); to eliminate unlawful practices by conciliation and persuasion; to supervise the payment of wages owing; and to issue appropriate rules and regulations. Requires employers to maintain records of the wages and wage rates, job classification, and other employment conditions of their employees. Authorizes the employees affected, or the Commissioner in their behalf, to bring suit (within 2 years after the cause of action occurs) for unpaid wages, for an equal additional amount as damages in case of willful violation, and for costs and attorneys' fees. Specifies that the court may order other affirmative relief.

### WAGES--WAGE GARNISHMENT

Ch. 231 (Approved 3/10/65; effective 7/1/65). Increases the amount of wages exempt from garnishment against a resident who is the head of a family, from \$35 to \$50 per week, and provides an additional exemption of \$5 per week each for up to five dependents. Newly provides an exemption (\$35 per week) for residents who are not family heads.

### WAGES AND HOURS--ALL WORKERS

Ch. 236. See State Department of Labor.

Ch. 237 (Approved 3/19/65; effective 7/1/65). Makes the minimum wage law applicable to "employees" instead of "women and minors." Deletes the former exemptions of agriculture and domestic service. Exempts only outside salesmen paid on commission.

WORKMEN'S COMPENSATION

Ch. 451 (Approved 3/15/65; effective 7/1/65). Adds to persons covered by the workmen's compensation law all appointed officials of the State and its political subdivisions, including municipal corporations. (Elective officials already covered.)

Ch. 452 (Approved 3/8/65; effective 7/1/65). Provides that in third person actions, the workmen's compensation fund shall be subrogated to the employee's rights for a minimum of 50 percent of the damages recovered up to a maximum of the total amount paid or to be paid in benefits.

Permits the employer to bring an action against the third person in his own name and/or the name of the employee, and in trust for the Workmen's Compensation Bureau and for the employee, within 60 days after both the employee and the Bureau have declined to bring such action.

Ch. 456 (Approved 3/5/65; effective 7/1/65). Increases from \$45-\$60 to \$50-\$65 the maximum weekly benefits for total disability, including dependents. Redefines dependents under 18 years of age to include a child unborn at the date of injury or born during the period of disability.

Ch. 457 (Approved 3/15/65; effective 4/1/65). Changes formula for computing weekly death benefits payable to a childless widow or widower from 50 percent of weekly wages (considered to be not more than \$50 nor less than \$30) to a basic \$25 a week until death or remarriage of the widow or widower, widower must be wholly dependent upon deceased at time of her death. Provides for \$7 additional for each surviving child payable until the child dies, marries, or reaches the age of 18 years, or over 18 until child becomes capable of self-support. Formerly 10 percent additional was allowed for each child up to a maximum of 80 percent for widow or widower plus children.

Ch. 458 (Approved 3/8/65; effective 7/1/65). Specifies that an appeal from a decision of the Workmen's Compensation Bureau by an employee or employer to the district court shall be heard on the record and additional evidence may be presented pertaining to questions of law in the discretion of the court.

MISCELLANEOUS

Ch. 303 (Approved 3/15/65; effective 7/1/65). Requires persons who use any device or instrument to test or question individuals for the purpose of detecting deception ("lie detector" instruments) to obtain a license from the Attorney General and to meet specified requirements prior to being issued a license. Sets annual fee and qualifications for obtaining a license. Authorizes the Attorney General to refuse to issue or renew, or to revoke a license on specified grounds.

## OHIO

(Regular Session: 1/4/65--9/1/65)

### CHILD LABOR AND SCHOOL ATTENDANCE

H. 950 (Approved and effective 8/16/65, except as shown below). Provides that after July 1, 1967 an age and schooling certificate may be issued to minors 16 or over who have completed a vocational or special education program adequate to prepare them for an occupation, rather than to minors 16 or over who have completed the 7th grade. Requires each school district to establish and maintain a vocational education program adequate to meet this requirement.

H. Res. 115 (Adopted 7/26/65). Requests the Legislative Service Commission to study the laws relating to hours and conditions of employment governing women and minors with a view to creating a flexible and modern body of law. Requests the Commission to report its findings and recommendations to the 107th General Assembly.

### HOURS OF WORK

H. Res. 115. See Child Labor and School Attendance.

### WAGES--PREVAILING WAGES

S. 201 (Approved 8/3/65; effective 11/3/65). Amends the prevailing wage law. Makes contracts in excess of \$2,000, instead of \$300, subject to the law. Newly defines prevailing wages to include, in addition to the rate paid per hour, specified fringe benefits. Requires every contractor and subcontractor to keep wage and hour records open to inspection and to post schedule of prevailing wage rates at the work site.

Authorizes the Department of Industrial Relations to enforce and administer the act, to issue necessary regulations and to file with the Secretary of State a list of convicted violators. Prohibits such violators from working on public works construction for 2 years.

### MISCELLANEOUS

S. Res. 70 (Adopted 8/19/65). A resolution requesting the Legislative Service Commission to make a comprehensive study of the status of women of the State including particular attention to employment policies, wages, hours, and working conditions; political, civil, and property rights; education and counselling services; the family and the employed woman; participation in civic affairs. Provides that the results of the study, together with any legislative recommendations, be reported to the General Assembly not later than January 15, 1967.



# OKLAHOMA

(Regular Session: 1/5/65--7/22/65)

## DISCRIMINATION IN EMPLOYMENT

H. Res. 653 (Adopted 7/14/65). Requires the State Legislative Council to study the subject of equal job opportunities and submit a report and recommendations to the 1967 Legislature.

## INDUSTRIAL RELATIONS

S. Con. Res. 60 (Adopted 6/21/65). Requests the Executive Committee of the State Legislative Council to assign the subject of arbitration to an appropriate standing committee of the Council for comprehensive study during the 1965-67 interim.

## OCCUPATIONAL SAFETY AND HEALTH

Ch. 82 (Approved 5/3/65; effective 10/21/65). Requires school boards to provide safety goggles as approved by the National Safety Council for all personnel using materials and machines that may damage the vision of such personnel because of flying particles, severe light or heat, or other harmful effects.

Ch. 255 (Approved and effective 6/21/65). Authorizes the entrance of Oklahoma into the Southern Interstate Nuclear Compact.

Ch. 257 (Approved and effective 6/23/65). Requires the Commissioner of Labor to adopt additional safety codes, for the use of safety inspectors, relating to safety belts, life lines, safety helmets, and bracing and shoring of trenches and excavations.

Ch. 385 (Approved and effective 6/30/65). Requires every motor vehicle furnished by a railroad company used to transport workers to and from their places of employment shall be maintained in a safe condition and operated in a safe manner. Authorizes the State Corporation Commission to make regulations, after hearings, relating to such vehicles, and to enforce them.

Ch. 462 (Approved 7/12/65; effective 10/21/65). Requires each school district to provide respirators to teachers and students for use in certain scientific and technical classes.

## WAGES--EQUAL PAY

Ch. 494 (Approved and effective 7/15/65). Prohibits willfully paying wages to women employees at a rate less than that paid to male employees for comparable work on jobs with comparable requirements relating to skill, effort, and responsibility, except pursuant to a seniority or merit system, or a system measuring earnings by quantity or quality of production, or differential based on any factor other than sex. Directs the Commissioner of Labor to enforce this provision.

WAGES--PREVAILING WAGES

Ch. 334 (Approved and effective 6/28/65). A prevailing wage act. Requires the Commissioner of Labor to make annual determinations of prevailing wages for workmen engaged in public works construction, and authorizes him to make necessary regulations. Provides that the Commissioner, in determining prevailing rates, shall consider hourly wages, overtime and holiday work paid generally in the locality.

Requires every contractor and subcontractor to keep accurate wage records open to inspection by the awarding public body and by the Department of Labor.

Exempts the Department of Highways and the construction of turnpikes by the Oklahoma Turnpike Authority.

WAGES AND HOURS--ALL WORKERS

Ch. 427 (Approved and effective 7/8/65). A minimum wage law. Establishes a minimum wage rate of \$1.00 an hour, effective August 1, 1965, applicable to men and women 18 to 64 years of age who are employed by employers of more than eight employees. Exempts farms, domestic service, restaurants, hotels, theaters, nursing homes, laundries, and bakeries, and other establishments and employments.

Creates a tripartite Wage and Hour Commission in the Department of Labor, with the Labor Commissioner as chairman, to enforce and administer the act. Authorizes the Governor to appoint additional members: two representatives each of labor and industry. Permits the Commission to make regulations, to include wages lower than the statutory minimum for learners, messengers, handicapped persons, State or local public employees, or students and regular attendants at any public or private institution of higher learning.

Provides if, after investigation of a complaint, the Commission finds that an employee is due wages, the Commission shall add a penalty of 10 percent of the amount due. Authorizes the Commission to take assignment of wage claims and to collect such claims. Requires double the full amount of such wages due and court costs, if the Commission claim prevails.

Repeals all laws or parts of laws in conflict with this act. (It would appear, therefore, that this act replaces the former inoperative wage board law applicable only to women and minors.)

WORKMEN'S COMPENSATION

Ch. 130 (Approved and effective 5/24/65). Provides for the purchase of workmen's compensation insurance for all employees of public libraries created by the State constitution and laws. Provides that the cost of premiums shall be paid in the same manner as are other governmental expenses.

Ch. 131 (Approved and effective 5/24/65). Provides that if the Industrial Court finds that there is no person entitled to death benefits, the employer shall pay \$700 to the estate of the

## Oklahoma

deceased employee. Specifies that it is conclusively presumed that death did not result from the injury if it occurs more than 5 years after the date of the accident.

Ch. 200 (Approved and effective 6/14/65). Increases from \$37.50 to \$40 per week the maximum compensation for temporary and permanent disability.

Ch. 237 (Approved 6/17/65; effective 9/16/65). Adds members of garbage and sanitation departments and fire departments, and all other persons engaged in hazardous employment for any incorporated city or town, to those employees allowed compensation for injuries caused by their hazardous employment.

Ch. 364 (Approved and effective 7/1/65). Authorizes the Department of Public Safety to purchase workmen's compensation insurance for uniformed employees of the Highway Patrol and for members of the Size and Weights Division of the Department of Public Safety.

Ch. 452 (Approved 7/5/65; effective 10/21/65). Requires a doctor, upon the worker's demand, to give a written report of the findings of any physical or mental examinations requested or required by any court or adverse party to the worker's claim. Requires compliance with the worker's demand before or simultaneously with the transmission of the written report to any other person, corporation, or court. Specifies that the failure to comply enables the trial court to exclude all the testimony of the doctor.

S. Res. 58 (Adopted 6/8/65; effective 10/21/65). Requests the Executive Committee of the State Legislative Council to assign the subject of workmen's compensation laws to an appropriate standing committee for study and investigation. Directs the Committee to submit a report and recommendations to the State Legislative Council.

H. Res. 600 (Adopted 6/14/65).

H. Res. 638 (Adopted 7/6/65). Directs the Legislative Council to (1) study the adequacy of death benefit and medical benefit provisions in the Oklahoma workmen's compensation law, and (2) study workmen's compensation laws, rates operations, and practices in Oklahoma as compared to adjoining States, and to report its findings, conclusions, and recommendations by October 1, 1966.

## OREGON

(Regular Session: 1/11/65--5/14/65)

### APPRENTICESHIP

Ch. 575. See Older Workers.

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 100 (Approved and effective 3/25/65). Provides that school districts may provide summer school programs for migrant children, with reimbursement by the State Board of Education of actual expenses incurred. (A 1961 law had established a 2-year summer school program for migrant children.)

DEBT POOLING

Ch. 190 (Approved 4/14/65; effective 8/13/65). Prohibits any person from advertising the availability or practice of consolidation of debts, whether such consolidation is by means of a loan to the debtor or otherwise, unless the person is a licensed debt consolidating agency or otherwise authorized by statute to engage in the business of lending money. Exempts advertising media accepting such advertisements in good faith without knowledge of their unlawful character.

DISCRIMINATION IN EMPLOYMENT

Ch. 575. See Older Workers.

INDUSTRIAL RELATIONS

Ch. 543 (Approved 5/26/65; effective 8/13/65). Directs county and municipal boards or commissions which administer a civil service system for their employees to establish procedures for the selection and certification of collective bargaining representatives for such classified employees.

MIGRATORY WORKERS

Ch. 100. See Child Labor and School Attendance.

OLDER WORKERS

Ch. 575 (Approved 5/27/65; effective 7/1/65). Specifies that the law prohibiting discrimination based on age applies to apprenticeship, but that selection on the basis of an applicant's ability to complete the training, plus the average period of employment thereafter, before attaining age 65, is not an unlawful practice.

TRAINING AND RETRAINING

Ch. 405 (Approved and effective 5/19/65). Provides that recipients, beneficiaries, or trainees in work training, work study, or work experience programs, or volunteers, in programs authorized under the Economic Opportunity Act of 1964, are not employees in the service of the State, county, or city for purposes of the civil service law, or for any State, county, or



city retirement system. Provides however that they are covered by the workmen's compensation act if not otherwise covered by a Federal program offering similar coverage.

Ch. 612 (Approved 6/3/65; effective 7/1/65). Authorizes the Department of Employment and the Department of Education to participate in the Manpower Development and Training Act of 1962, as amended.

Provides that the Department of Employment shall conduct research, skill surveys, and other investigations to identify current and prospective labor shortages and seek to identify individuals who can be trained to fill such shortages; provide counselling and vocational and technical training to individuals in need of such training; and develop policies for the adequate vocational and technical training of such individuals. The Department shall refer for training individuals whose future employment is substantially diminished due to technological change or whose need for training is indicated by a record of persistent unemployment, underemployment, or by lack of occupational training, or for whom no other public or private vocational or training assistance or funds are available.

Requires the Department of Education to provide such training as shall be determined necessary by the Department of Employment through public or private educational institutions or agencies. Provides that the types of training usually received in apprenticeship programs shall not be provided if a current apprenticeship program is training the number of individuals who can reasonably be expected to be employed in the particular occupation.

#### WAGES--WAGE GARNISHMENT

Ch. 486 (Approved 5/22/65; effective 8/13/65). Repeals and reenacts the provision exempting wages from garnishment, and extends the exemption to persons without dependents. Automatically exempts 50 percent of earnings due the debtor after deductions for taxes, with a minimum exemption of \$25 and a maximum of \$250 in any 30-day period. Formerly the law exempted earnings for 30 days preceding service of process which, together with other earnings of the debtor during the period, amounted to \$175 or less, provided they were required for the use of the debtor's family supported wholly or partly by him. The exemption was 50 percent of such earnings if incurred for family expenses. The exemption was not automatic, but had to be claimed and proved to be needed.

Specifies that waivers of the exemption are void. Requires a copy of the exemption provision to be attached to the garnishment papers.

#### WAGES--PREVAILING WAGES

Ch. 449 (Approved 5/19/65; effective 8/13/65). Amends the prevailing wage law by requiring the Commissioner of the Bureau of Labor to determine the prevailing rate of wages for workmen in each trade or occupation in each locality on July 1 of each year, and authorizes him to amend such rates at any time.

## WORKMEN'S COMPENSATION

Ch. 285 (Approved 5/3/65; effective 7/1/65, except as otherwise noted). Makes comprehensive revision of the workmen's compensation act. Changes administration from the Industrial Accident Board to two separate departments: the Workmen's Compensation Board, which is responsible for administering all aspects of the law except the insurance provisions, and the State Compensation Department, which is responsible for administering the State insurance fund. Changes insurance system from an exclusive State fund to a three-way system: (1) State fund; (2) private carrier; or (3) self-insurance.

Provides for compulsory coverage rather than elective. Effective January 1, 1966, extends coverage to certain previously excluded nonhazardous employment, but limits such coverage to employees of employers of four or more in any day. Effective January 1, 1967, removes the numerical exemption. Makes no numerical exemption for those previously covered under the act. Effective January 1, 1968, extends coverage to workmen engaged in farming for an employer whose payroll for wages earned during the preceding calendar year amounts to \$1,500 or more, exclusive of board and lodging and exchange labor. Permits an employer to elect coverage of his workers who are not subject to the law and sets procedures for such election and for cancellation of such coverage.

Raises maximum weekly benefits as follows: for permanent total disability from \$28.85-\$63.46 to \$35.77-\$70.38, for temporary total disability from \$32.31-\$66.92 to \$39.23-\$73.85, for death from \$20.77-\$48.46 to \$25.38-\$53.08, all according to the number of dependents. Provides that in no event shall the rate of compensation for permanent or temporary total disability exceed 90 percent of the monthly wages computed under a specified formula. Raises the maximum burial allowance from \$400 to \$600. Raises from \$15,000 to \$25,000 the final settlement to a widow upon remarriage. Increases the amount for each degree of permanent partial disability from \$46.50 to \$55 and increases the maximum number of degrees from 145 to 192 for any one nonschedule permanent partial disability. Removes the maximum limit on medical benefits.

Newly provides that no disability payment is recoverable for temporary total disability suffered during the first 3 days after the workman leaves work as a result of his compensable injury unless the total disability continues for a period of 14 days, or the workman is an inpatient at a hospital. Formerly, there was no waiting period.

Directs the Governor to appoint an Industrial Accident Advisory Committee to conduct a continuous study of workmen's compensation benefits and other aspects of the program and to report its recommendations biennially to the legislature. Requires that at least one of the members representing workers should be representative of agriculture; the other members are to represent employers and the general public.

Creates an Advisory Committee on Medical Care to advise the Board on matters relating to medical care.

Ch. 405. See Training and Retraining.

# PENNSYLVANIA

(Regular Session: 1/5/65--1/4/66)

## AGRICULTURAL WORKERS

Act 542. See Workmen's Compensation.

## CHILD LABOR AND SCHOOL ATTENDANCE

Act 376 (Approved and effective 12/1/65). Permits girls between 16 and 18 years of age to be employed until 10 p.m., rather than 9 p.m., when their employment is part of a recognized school-work program. (Also see Hours of Work.)

## DISCRIMINATION IN EMPLOYMENT

Act 497 (Approved 12/27/65). Requires the Human Relations Commission to prepare and distribute fair practices notices, and makes it unlawful for persons subject to the law to fail to post and exhibit prominently such notices. (The Commission had previously required such posting by regulation.)

Act 533 (Approved and effective 1/24/66). Specifically authorizes the adoption of local human relations ordinances and the creation of local commissions with powers and duties similar to those of the Human Relations Commission. (Retains the provision that existing or future ordinances relating to discrimination because of race, color, religious creed, ancestry, age, or national origin are not superseded or repealed by the State law, but that the remedy under either is exclusive.)

Act 534 (Approved 1/24/66). Extends the application of the fair employment practice provisions to employers of six or more employees, rather than employers of 12 or more. Amends the exemption of religious, fraternal, charitable, or sectarian organizations not supported wholly or partly by government appropriations to allow otherwise discriminatory practices when based only on religion. Provides that the law does not apply to employment practices of fraternal organizations which are based on membership in the organization.

## HOURS OF WORK

Act 376 (Approved and effective 12/1/65). In addition to executives, exempts from the women's hours law females employed in a bona fide administrative or professional capacity or as confidential secretaries or outside salesmen. Retains exemption for those in domestic service or agriculture. Deletes provision prohibiting women from working in more than one establishment for more than a combined 10-hour day or 48-hour week. Requires prior approval of the Secretary of Labor for employment of women on night shifts in manufacturing establishments. Permits suspension of the meal or rest period under certain conditions.

Deletes lunch room requirement in establishments where certain injurious fumes or gases are present.

## Pennsylvania

Repeals specific provisions relating to wash- and dressing-rooms, toilets, and drinking water and specifies that they shall be provided in accordance with the general safety law.

Requires that at least one suitable seat shall be provided for every three, rather than every five, females employed.

(Also see Child Labor and School Attendance.)

## INDUSTRIAL RELATIONS

H. Res. 119 (Adopted 10/12/65). Establishes a Labor Committee of the House of Representatives to make an investigation to ascertain whether a school for training strikebreakers exists in Delaware County, and to report its findings and recommendations to the General Assembly upon completion of the investigation.

## OCCUPATIONAL SAFETY AND HEALTH

Act 116 (Approved and effective 7/19/65). Requires all persons in any shop or laboratory in schools, colleges, and universities to wear eye-protective devices while engaged in or exposed to certain dangers. Provides that such protective devices shall meet the standards of the American Standards Association.

Requires the schools, colleges, and universities to furnish such devices for all persons required to wear them.

Act 376. See Hours of Work.

## TRAINING AND RETRAINING

Act 468 (Approved 12/22/65; effective 7/1/65). Appropriates separate funds to the Department of Labor and Industry and to the Department of Public Instruction to permit the State to participate in programs under the Federal Manpower Development and Training Act for the period beginning July 1, 1965 and ending June 30, 1967. Permits any unobligated moneys of either appropriation to be transferred to and expended by the other Department upon the approval of the Governor.

## WORKMEN'S COMPENSATION

Act 141 (Approved and effective 7/23/65). Provides that a member of the Pennsylvania National Guard wounded or otherwise disabled while engaged in volunteer service during a civil emergency at the request of competent military authority shall be covered by the workmen's compensation act. Provides that for the purposes of compensating such member or his beneficiaries, wages shall include all earnings received from employment in the guardsman's usual occupation.

Provides that the legislature shall appropriate funds necessary to provide such compensation.



Pennsylvania

Act 335 (Approved 11/10/65; effective 12/1/65). Amends the occupational disease act to cover coal worker's pneumoconiosis.

Increases the aggregate maximum payable for total disability and death from \$12,000 to \$12,750, except that any employee who has received the maximum amount payable shall be paid additional compensation of \$75 a month. Provides also for the payment of \$75 a month to any employee totally disabled due to silicosis, anthracosilicosis, coal worker's pneumoconiosis, and asbestosis who has not been compensated because his claim was barred by any of the time limitations, providing he was exposed to the hazard within the State for a period of at least 2 years. Provides that where a claim is allowed, benefits shall be paid from the date claim is filed.

Increases maximum weekly benefits for total disability, permanent partial (schedule), and death from \$47.50 to \$50, and for permanent partial (nonscheduled) from \$37.50 to \$40. Increases minimum weekly benefits for total and permanent partial (schedule) from \$20 to \$22.50, and for death from \$30.50 to \$32.25.

Increases medical benefits from \$450 to \$750 for the first 6 months.

Increases burial allowance from \$500 to \$750.

Act 435 (Approved 12/17/65). Provides that in the case of firefighters, diseases of the heart and lungs which result in partial disability (as well as total disability as formerly) shall be covered by the occupational disease act. Deletes the provision requiring such firefighters to be employed in full-time salaried occupations of firefighting.

Act 512 (Approved 12/31/65; effective 1/1/66). Raises maximum weekly benefits for total disability and schedule injuries from \$47.50 to \$52.50, and the minimum from \$27.50 to \$31.50, or from \$20 to \$21 for employees earning less than the minimum.

Raises maximum weekly benefits for nonschedule permanent partial disability from \$37.50 to \$42.00.

Raises maximum weekly benefits for death from \$30.50-\$47.50 to \$34.00-\$52.50, according to number of dependents, and the maximum period for death benefits from 350 to 500 weeks.

Requires the employer to furnish reasonable medical and surgical benefits for 12 months, rather than 6 months, and deletes the maximum of \$450 for such services. As before, allows the Workmen's Compensation Board to extend the period of such services if the employee's earning capacity will be materially restored.

Act 542 (Approved and effective 1/25/66).

Act 543 (Approved and effective 1/25/66). Provides that when an insurer assumes the employer's liability, such insurer will be entitled to all the employer's immunities and protections under the act, except when the employer has purchased insurance to provide benefits for persons excluded from the definition of "employee" by virtue of being engaged in domestic service and agriculture. Provides that neither the employer nor the insurer may raise the defense of such exclusion. (Act 542 amends the workmen's compensation act and Act 543 the occupational disease act.)

## PUERTO RICO

(Regular Session: 1/11/65--5/31/65)

### DISCRIMINATION IN EMPLOYMENT

H. 97 (Approved 6/28/65; effective 7/1/65). Creates a Civil Rights Commission, composed of five members to be appointed by the Governor. Requires the Commission to hold public hearings at least twice a year, to make studies and investigations, and to conduct educational activities with respect to civil rights. (Does not affect the administration of the fair employment practice act by the Department of Labor.)

### HOURS OF WORK

H. 135 (Approved and effective 6/30/65). Specifies that the laws and decrees establishing maximum working hours for employees of the milk and cattle industries shall not apply to salesmen and assistant salesmen of fresh milk and its byproducts. Specifies that provisions in the laws and decrees regulating vacations, sick leave, and other working conditions of the milk and cattle industries shall, however, remain in effect as to salesmen and assistant salesmen. Permits minimum wage committees to recommend, with the approval of the Minimum Wage Board, the minimum commissions to be paid to salesmen of fresh milk and their byproducts and to their assistants.

### INDUSTRIAL RELATIONS

H. 343 (Approved and effective 5/22/65). Empowers the Governor to take certain steps when a strike occurs or is threatened which would result in the cessation of any essential public service. Authorizes him to appoint a seven-member factfinding board, and to file a petition for a court order restraining the labor union from striking for a specified period. Directs the board to make reports to the Governor on the dispute and the efforts made toward settlement. Requires the Governor to submit a report to the legislature with recommendations.

H. 345. (Approved and effective 6/22/65). Amends the labor relations act to include subcontracting as a mandatory subject of bargaining.

### OCCUPATIONAL SAFETY AND HEALTH

H. 3 (Approved 6/24/65; provisions for control of byproduct, source, and special nuclear materials to be effective upon execution of a Federal-Commonwealth agreement; provisions for control of other radiation sources to be effective 7/1/65). Creates a Commission for the Control of Radiation, consisting of the Secretary of Health, the Secretary of Labor, and a third member appointed by the Governor. Directs the Commission to adopt regulations for

radiation protection and to inspect radiation sources. Provides that the Department of Health and the Department of Labor shall be jointly responsible for the regulatory control of the sources of ionizing radiation, Health as it affects public health and safety, and Labor as it affects occupational health and safety.

Empowers the Commission to provide by regulation for the licensing of byproduct, source, or special nuclear materials or devices, to require either registration or licensing of other sources of ionizing radiation, exempting nonhazardous sources from such requirements. Also empowers the Commission to adopt rules and regulations relating to control of radiation sources; and to require that certain records be kept, including records showing radiation exposure of individuals for whom personnel monitoring is required. Requires such records to be furnished the employee annually, at any time he has received excessive exposure, and upon termination of employment.

Authorizes the Governor to enter into an agreement with the Federal Government for transfer to the Commonwealth of certain responsibilities for control of radiation sources. Authorizes the Department of Health and the Department of Labor to enter into agreements with the Federal Government, other States, interstate agencies, territories or possessions of the United States, the District of Columbia, and the Panama Canal Zone, for cooperative inspections or performance of other radiation control functions.

Creates an Advisory Board of Radiation of five members, appointed by the Commission, from the fields of radiology, nuclear medicine, atomic energy, radiation or radiation physics or related sciences. Provides that the Board shall review and evaluate policies and programs of the Commonwealth relating to ionizing radiation, and furnish technical advice.

#### TRAINING AND RETRAINING

S. 146 (Approved 6/24/65; effective 7/1/65). Authorizes the Department of Education and the Department of Labor to continue participating in the training and retraining programs for unemployed workers under the Manpower Development and Training Act of 1962.

S.J. Res. 32 (Approved 6/22/65; effective 7/1/65). Appropriates funds to enable the Secretary of Labor to establish job committees to develop job training programs for youth and to promote and encourage community participation in the programs.

#### WAGES AND HOURS--ALL WORKERS

H. 135. See Hours of Work.

H. Con. Res. 9 (Adopted 9/23/65). Expresses the feeling of the Legislative Assembly that the United States Congress should allow the present method of setting rates by industry committees to remain and that the Congress should exempt Puerto Rico from the automatic increases provided in the proposed amendments to the Fair Labor Standards Act.

## Puerto Rico

### WORKMEN'S COMPENSATION

S. 14 (Approved and effective 6/23/65). Makes attorneys' fees for employee representation before the manager of the State fund or in the courts payable out of the State Insurance Fund. Specifies that such expenses shall not be computed in the actuarial cost in fixing insurance premiums. In cases of uninsured employers in violation of the law, the charges shall be made against the employer if the worker wins the case.

## RHODE ISLAND

(Regular Session: 1/5/65--12/31/65)

### INDUSTRIAL RELATIONS

Ch. 75 (Approved and effective 5/6/65). Extends the provisions of the labor relations act to firemen and policemen but prohibits such employees from engaging in any strike.

H. 1834 (Approved 5/19/65). A resolution creating a special unpaid 11-member commission to study the need for mediation and arbitration in disputes involving public school committees and personnel and to establish a procedure in the event of a dispute. Requires that a report including recommendations be made to the General Assembly on or before March 30, 1966.

### WAGES--EQUAL PAY

H. 1551 (Approved and effective 4/22/65). Deletes from law prohibiting wage differentials based on sex provision permitting variations in rates of pay between the sexes where provided by collective bargaining agreement and makes null and void any provision in any contract, agreement or understanding entered into thereafter establishing such variation. Continues to allow variation in rates of pay based upon differences in seniority, experience, training, skill, or ability; duties and services performed regularly or occasionally; shift or time of day worked; availability for other operations; or any other reasonable differentiation except difference in sex.

### WAGES--PREVAILING WAGES

Ch. 77 (Approved and effective 5/7/65). Revises the criteria for ascertaining the prevailing rate of wages for public works employees to include the prevailing rate of regular, holiday, and overtime wages, and contributions to welfare, pension, vacation, apprentice training, and educational funds in locality where the work is to be performed. Specifies that the contractors and subcontractors shall have made such payments and contributions within a period of 2 years immediately preceding the taking of bids.



## Rhode Island

Provides that the prevailing practice in the city or town where the public work is performed shall be the basis for computing overtime pay for hours in the excess of 8 a day or 40 a week.

Specifies that the Superior Court in Providence County may review the action taken by the Director of Labor upon petition of an aggrieved person.

### WORKMEN'S COMPENSATION

Ch. 82 (Approved and effective 5/12/65). Authorizes the Director of Labor to continue payments to totally incapacitated persons out of the second-injury indemnity fund whenever an insurance carrier or certificated employer obligated for such payments becomes insolvent or is no longer in business.

Ch. 149 (Approved and effective 5/19/65). Requires every insurer and self-insurer to make an additional payment to the second-injury indemnity fund for the fiscal year July 1, 1965 through June 30, 1966.

## SOUTH CAROLINA

(Regular Session: 1/12/65--6/11/65)

### OCCUPATIONAL SAFETY AND HEALTH

Act 58 (Approved and effective 2/26/65). Amends the 1962 law enabling South Carolina to become a party to the Southern Interstate Nuclear Compact, so as to add the State of Missouri to the list of States eligible for membership.

Act 377 (Approved and effective 6/8/65). Requires all students and teachers in the public school to wear eye-protective devices while participating in certain vocational, industrial arts, and chemical-physical courses and laboratories that involve use of or exposure to certain specified materials or operations. (Such protective devices shall meet the requirements of the American Standards Association.) Directs the trustees of each school district to purchase the eye-protective devices and make them available for use by the pupils, teachers, and visitors to such classrooms or laboratories.

## SOUTH DAKOTA

(Regular Session: 1/19/65--3/15/65)

### CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 17 (Approved 3/11/65; effective 7/1/65). Sets a minimum age of 19 for serving beer in any place where selling beer constitutes more than 50 percent of the gross business.

## South Dakota

Ch. 200 (Approved 3/17/65; effective 7/1/65). Amends the motor vehicle law which authorizes the issuance of a "restricted work permit" to minors between 14 and 16 years of age under certain conditions. Provides that such permit shall not entitle the permittee to operate a motor vehicle on which is mounted a sawmill, or which is used to transport certain products or used in certain projects unless they are located on the farm or ranch on which the permittee is employed and under the direct supervision of the farmer or rancher employer.

### WAGES--EQUAL PAY

H. Res. 3 (Adopted 2/24/65). Requires the State Legislative Research Council to make a detailed study of the necessity, feasibility, and practicability of equal pay legislation, and submit a report and any recommendations to the 41st session of the legislature.

### WORKMEN'S COMPENSATION

Ch. 305 (Approved 3/15/65; effective 7/1/65). Deletes the 20-week limitation on medical care, but retains the initial monetary limitation of \$1,700; provides that the Industrial Commissioner may allow additional medical services up to \$20,000, instead of up to \$1,200 as formerly.

Ch. 306 (Approved 3/15/65; effective 7/1/65). Increases maximum death benefits from \$10,000 to \$12,000 and minimum benefits from \$4,000 to \$5,000. Increases from \$13,000 to \$15,000 the total benefits payable for widows and minor children. Provides that no compensation payments be deducted from such benefits.

Ch. 307 (Approved 3/15/65; effective 7/1/65). Adds to the schedule of compensable occupational diseases tuberculosis resulting from the care of patients in licensed hospitals.

Ch. 308 (Approved 3/6/65; effective 7/1/65). Adds disability due to ionizing radiation to the schedule of compensable occupational diseases. Specifies that the time for filing such claim for disability does not begin to run until 1 year after date the employee first suffered incapacity and either knew or should have known that the disease was caused by his present or prior employment.

## TENNESSEE

(Regular Session: 1/4/65--3/19/65)

### CHILD LABOR AND SCHOOL ATTENDANCE

H.J. Res. 65 (Approved 3/20/65). Authorizes the Legislative Council Committee to make a study of the child labor law and related statutes, to recommend the proper legislation to clarify and update the law, and to recommend needed changes in the policies and programs of the various State departments for effective implementation of the statute.

## Tennessee

### OCCUPATIONAL SAFETY AND HEALTH

Ch. 225 (Approved 3/20/65; effective 7/1/65). Establishes a Construction Safety Board within the Department of Labor, composed of the Commissioner of Labor and six members appointed by the Governor, four representing specified organizations and two representing the construction crafts. Provides that the Board, in addition to an educational program, shall, after public hearings, issue rules and regulations for the construction industry. (Such rules and regulations shall be based on generally accepted nationwide engineering standards.) Defines construction to include the constructing, repairing, or demolishing of buildings, or other structures, including excavation and digging of ditches and trenches. Exempts the construction of farm buildings, residences, and two-family apartment units.

Specifies that the act shall not replace any municipal law or ordinance which substantially conforms with commonly accepted construction safety standards, nor prevent local officers or Boards of such municipalities from regulating or enforcing such local laws, ordinances, or regulations.

Ch. 240 (Approved and effective 3/20/65). Amends the 1961 law enabling Tennessee to become a party to the Southern Interstate Nuclear Compact, so as to add the State of Missouri to the list of States eligible for membership.

### STATE DEPARTMENT OF LABOR

Ch. 225. See Occupational Safety and Health.

### WAGES--WAGE GARNISHMENT

Ch. 310 (Approved 3/25/65; effective 7/1/65). Revises the statutes exempting property from seizure for debt and amends the exemption of wages from garnishment. Exempts \$17 per week (formerly \$60 per month) of earnings due a resident family head, plus \$2.50 per week (formerly \$5 per month) for each dependent child under 16. Exempts \$12 per week (formerly \$30 per month) for persons who are not heads of families.

### WORKMEN'S COMPENSATION

Ch. 158 (Approved 3/20/65; effective 7/1/65). Raises from \$35 to \$38 the maximum weekly benefits for all types of disability and for death.

## TEXAS

(Regular Session: 1/12/65--5/31/65)

### CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 75 (Approved 4/8/65; effective 8/30/65). Raises the upper age for compulsory school attendance from 16 to 17 years of age.

## DEBT POOLING

Ch. 199 (Approved 5/18/65; effective 8/30/65). A law prohibiting debt pooling. Prohibits any person, firm, or corporation from engaging in the business of debt pooling. Exempts attorneys, State or national banks, judicial officers or others acting under court orders, any retail merchants' trade association, any nonprofit association formed for the purpose of collecting accounts and exchanging credit information, and credit unions doing business under the Federal credit union provisions. Also exempts any lawful debt pooling contract in existence on or before the effective date of this act.

## INDUSTRIAL RELATIONS

H. Con. Res. 30. Memorializes the United States Congress not to repeal section 14 (b) of the Labor Management Relations (Taft-Hartley) Act.

## MIGRATORY WORKERS

Ch. 51 (Approved and effective 3/30/65). Requires persons seeking migratory work to furnish labor agent with medical certificate showing (1) that the person has been examined for tuberculosis, (2) the results of the examination, and (3) that the State Board of Health has been notified of the results. Provides that the examination be made within 60 days prior to employment. Specifies that labor agent's license may be revoked for violation.

Ch. 86 (Approved 4/22/65; effective 9/1/65). Transfers all duties and functions of the Texas Council of Migrant Labor to the Good Neighbor Commission. Authorizes the employment of an executive director and a coordinator of migrant labor.

## OCCUPATIONAL SAFETY AND HEALTH

Ch. 58 (Approved 4/2/65; effective 8/30/65). Requires all students and teachers in the public school to wear eye-protective devices while participating in certain vocational, industrial arts, and chemical-physical courses and laboratories that involve experience with specified materials and operations.

Makes the governing boards and administrators of the school districts responsible for furnishing such eye-protective devices free of charge, or providing at cost, to the teachers and pupils.

## WORKMEN'S COMPENSATION

Ch. 493 (Approved and effective 6/16/65). Authorizes the board of trustees of independent school districts in counties with a population of 1,200,000 or more to voluntarily provide workmen's compensation benefits or insurance for all its employees.



## Texas

Ch. 695 (Approved 6/18/65; effective 8/30/65). Extends coverage of the workmen's compensation law to elected or appointed executive officers of a corporation; provides that in the case of charitable, religious, educational or other nonprofit corporations, executive officers are included only if the corporation elects to bring such executive officers within the coverage of its insurance contract. Exempts the Agriculture and Mechanical College and the University of Texas.

H. Res. 559 (Adopted and effective 5/29/65). Requests the Legislative Council to study the Texas workmen's compensation law in comparison with such laws in other States, including, but not limited to, procedures and the structure of the administering agency, premium rates, benefit levels, and the extent of coverage. Requests other State agencies and departments to cooperate with the Legislative Council in the conduct of this study.

Requires the Council to report its findings and recommendations to the next legislature.

## UTAH

(Regular Session: 1/11/65--3/11/65)

### DISCRIMINATION IN EMPLOYMENT

Ch. 66 (Approved 3/18/65; effective 5/11/65). Prohibits discrimination in employment because of race, color, sex, religion, ancestry, or national origin, by employers, employment agencies, labor organizations, and apprenticeship and training committees, except where religion, sex, or national origin is a bona fide occupational qualification. Exempts employers of less than 25 persons; religious organizations; private membership clubs; and domestic service.

Specifies as unfair such employment practices as refusing to hire or promote; discharging; discriminating in matters of compensation; refusing to refer for employment; excluding from full union membership rights; advertising, using application forms, or making inquiries expressing any limitation or discrimination; discriminating in apprenticeship or training programs. Permits certain preferences, such as hiring Indians for work on or near the reservation, or hiring family members or persons trained at the employer's expense.

Creates an Antidiscrimination Division in the Industrial Commission to administer the law. Authorizes the Division to accept and investigate complaints; to attempt to eliminate discrimination by conference, conciliation, and persuasion; to hold hearings; to issue orders requiring a guilty party to cease and desist, and to take affirmative action, such as upgrading employees with or without back pay, referring applicants for employment, or restoring a person to union membership. Makes such orders subject to judicial review and enforcement. Authorizes the Commission to make necessary rules and regulations, and to conduct an educational program.

OCCUPATIONAL SAFETY AND HEALTH

Ch. 65 (Approved 2/17/65; effective 5/11/65). Requires every motor vehicle furnished by an employer and used to transport workers to and from their places of employment to be maintained in a safe condition and operated in a safe manner at all times, whether or not used on a public highway. Exempts motor carriers or motor vehicles owned and operated by the United States.

Provides that the Industrial Commission shall issue and enforce a safety code embodying rules and regulations and minimum standards relating to such motor vehicles.

Specifies that the act does not apply to agricultural workers.

Ch. 89 (Approved 2/25/65; effective 5/11/65). Requires all pupils, teachers, and visitors to wear eye-protective devices meeting the standards of the American Standards Association when participating in specified courses that require the use of certain hazardous substances, equipment, or processes. Authorizes boards of education to purchase such devices and sell them at cost or rent or loan them to pupils and teachers.

WORKMEN'S COMPENSATION

Ch. 68 (Approved 3/9/65; effective 7/1/65). Reduces from 28 to 21 days the length of time a total temporary disability must last for benefits to be payable for the first 3 days.

Raises the maximum weekly benefits for all types of disability and death from \$40-\$54.25 to \$42-\$60 according to number of dependents. Raises the maximum benefits for total disability from \$11,204-\$15,126 to \$13,104-\$18,720; for partial disability from \$8,978 to \$12,000; and for death from \$11,491-\$14,046 to \$13,104-\$18,720.

Raises the benefits payable for rehabilitation and training from \$753 to \$830. Raises from \$525 to \$625 the maximum allowance to an employer for an artificial limb or eye or for the replacement of an appliance.

Raises from \$2,762 to \$5,000 the amount an employer or his insurer must pay into the State treasury when an injury causes the employee's death and there are no dependents.

Ch. 70 (Approved 3/10/65; effective 7/1/65). Requires claim for disablement or death due to occupational exposure to ionizing radiation to be filed within 1 year after the date upon which the employee first suffered incapacity and knew or should have known that the disease was caused by his present or prior employment.

Increases from \$40 to \$42 per week the maximum payable for permanent and temporary total disability due to an occupational disease, and from \$2.85 to \$3.60 the additional weekly amount for a dependent wife and for each dependent minor child, up to four.

## Utah

Increases from \$15,800 to \$18,720 the maximum benefits payable for permanent total disability or any combination of disabilities, except for employees who cannot be rehabilitated. Increases from \$753 to \$830 the maximum to be paid to the Division of Vocational Rehabilitation for use in rehabilitating and training of a permanently or partially disabled employee, and increases from \$40 to \$42 per week the maximum to be paid to an employee during disability who has cooperated but who cannot be rehabilitated. Increases from \$40 to \$42 per week for 20, rather than 10, weeks the maximum an employee is to receive while undergoing active rehabilitation.

Increases from \$21.50 to \$22.50 a week the amount payable after rehabilitation is terminated to employees permanently and partially disabled by an occupational disease and increases the maximum total from \$4,309 to \$5,105.

Increases from \$1,925 to \$2,500 the maximum benefits for prolonged hospitalization of an employee due to total disability caused by an occupational disease.

Raises total maximum benefits for death from \$11,491-\$14,046 to \$13,104-\$18,720, according to number of dependents.

H. Res. 4 (Adopted 3/11/65). Requests the Council of State Governments, the National Legislative Conference, and the National Legislative Leaders Conference, in combination, to study the occupational disease laws and to determine a better classification to treat silicosis on a comparable basis with other occupational injuries classified as total disability. Further suggests that steps be taken to amend the laws of the 50 States and any companion Federal legislation.

## VERMONT

(Regular Session: 1/6/65--6/30/65)

### CHILD LABOR AND SCHOOL ATTENDANCE

Act 46 (Approved and effective 5/5/65). Amends the compulsory school attendance law. Requires completion of the 10th grade, rather than completion of the elementary school course or the rural school course and the first 2 years of junior or senior high school.

### TRAINING AND RETRAINING

Act 61 (Approved 5/19/65; effective 7/1/65). Authorizes the Department of Education and the Department of Employment Security to administer manpower development and training programs, pay training allowances, and to execute agreements or contracts with the Federal Government, to enable the State to participate in programs under the Manpower Development and Training Act of 1962. Appropriates funds to match amounts expended by the Federal Government.

WAGE PAYMENT AND WAGE COLLECTION

Act 182 (Approved 6/30/65; effective 7/1/65). Requires the Department of Industrial Relations, upon complaint by an employee that wages have not been paid by an employer, to investigate the complaint, examine the employer's records, and attempt to arrange a settlement between the employee and employer. Provides for action by the Attorney General if necessary. Exempts employees covered by the Fair Labor Standards Act.

WAGES AND HOURS--ALL WORKERS

Act 35 (Approved 4/21/65; effective 10/1/65). Increases the statutory minimum rate from \$1.00 to \$1.25 an hour. Increases the per diem from \$10 to \$15 for wage board members and requires it to meet at least once a year, or more often if requested by the Commissioner.

WORKMEN'S COMPENSATION

Act 40 (Approved 4/28/65; effective 7/1/65). Amends the occupational disease act to add tenosynovitis of the hand or arm to those diseases classified as occupational diseases.

Act 67 (Approved 5/19/65; effective 7/1/65). Increases the aggregate maximum for death and permanent total disability from \$12,870 to \$13,560. Increases the weekly maximum benefits for total disability from \$39 to \$41, and the minimum from \$20 to \$21. (But see Act 87, approved 6/10/65, which reduces aggregate maximum.)

Increases from \$20 to \$21 the maximum weekly benefits for permanent partial nonschedule disability.

Act 73 (Approved 5/26/65; effective 7/1/65). Establishes requirements to be met before the employer discontinues payments for total or partial disability to an injured employee who claims his disability still continues.

Act 87 (Approved 6/10/65; effective 7/1/65). Deletes the provision requiring death to result from the injury within 4 years to be compensable. Reduces the maximum death benefits from \$13,560 (established by Act 67) to \$13,530.

Increases from 3 to 5 years after the last injurious exposure, the period in which disability must result because of an occupational disease in order to be compensable; and increases from 10 to 12 years the time in which death must result in order to be compensable.

Excludes disability or death due to ionizing radiation from the above time limits. Requires a claim for benefits for disability or death due to ionizing radiation to be filed within 1 year after the employee first suffered incapacity from the exposure to radiation and knew or should have known that the occupational disease was caused by his present or prior employment.



## Vermont

Act 169 (Approved 6/30/65; effective 7/1/65). Extends coverage of the act to every elected or appointed executive officer of a corporation.

Act 173 (Approved and effective 6/30/65). Provides that if an injured employee is employed in the concurrent service of more than one employer, his total earnings from the several employers shall be combined in determining his average weekly wages, but insurance liability shall devolve exclusively upon the employer in whose employ the injury occurred; effective until June 30, 1967.

## WASHINGTON

(Regular Session: 1/11/65--3/11/65)  
(First Special Session: 3/15/65--5/7/65)

### AGRICULTURAL WORKERS

S. J. Memorial 22 (Adopted 4/27/65). Requests the Secretary of Labor to issue a directive permitting a gradual cutback of imported farm laborers to effect an orderly transition from the use of this labor to the use of local laborers in conjunction with the new mechanical devices.

### HOURS OF WORK

Ch. 41 (Approved 3/20/65; effective 6/10/65). Amends the law which sets a maximum 8-hour day for females to exempt females employed in an administrative, executive, or professional capacity.

### INDUSTRIAL RELATIONS

Ch. 69 (Approved 4/2/65; effective 6/9/65). Provides that the requirement that the Insurance Commissioner examine employee welfare trust funds at least every 5 years shall apply only to those funds consisting of more than 25 participants. Retains the Commissioner's authority to examine each employee fund as often as he deems necessary.

Requires the trustees of every employee welfare trust fund consisting of more than 25 participants to file an annual statement with the Commissioner containing specified data. Newly requires trustees of every employee welfare trust fund hereafter formed or presently existing to register such fund with the Commissioner.

Ch. 143 (Approved 3/20/65; effective 6/9/65). Establishes methods of administering employer-employee relations through the recognition of organizations representing teachers. Requires such organizations to obtain a majority of the votes cast in a secret ballot for determining employee representation. Authorizes the use of mediation committees, appointed by the State Superintendent of Instruction, when the school board and the employee organization

## Washington

are unable to resolve matters under their joint consideration, but specifies recommendations of this committee not be binding on either party. Permits a teacher to appear on his own behalf on matters relating to his employment relations with the school district. Prohibits discrimination against any teacher for exercising his rights.

Ch. 152 (Approved 3/23/65; effective 6/9/65). Forbids any person, the State and its subdivisions, or municipal corporations to require lie-detector or similar tests as a condition for employment, except for persons in public law enforcement, dispensing of narcotics or dangerous drugs, or sensitive jobs involving national security.

H. J. Memorial 21 (Adopted 5/5/65). Petitions the President and Congress to repeal section 14(b) of the Labor Management Relations (Taft-Hartley) Act.

## OCCUPATIONAL SAFETY AND HEALTH

Ch. 88 (Approved 3/20/65; effective 6/9/65). Amends the radiation control law to provide for licensing by the Department of Health of any byproduct, source, special nuclear materials, or devices or equipment utilizing radioactive material. Extends application of the act to occupational, as well as public, health and safety.

## WAGES--PREVAILING WAGES

Ch. 133 (Approved 4/16/65; effective 8/6/65). Provides that in determining the prevailing wage rate, "usual benefits" shall be included, as well as the hourly rate and overtime as formerly. Defines "usual benefits" to include such fringe benefits as health, welfare, and pension plans, vacation and holiday pay, costs of apprenticeship, or other bona fide benefits, but only where the employer is not required to provide such benefits by law.

Requires that all determinations of the prevailing wage be made by the Department of Labor and Industries. Specifies that a certified statement of hourly wages paid be filed with the Department, and requires the Director to certify that the prevailing wage requirements have been satisfied prior to payment on public contracts.

## WORKMEN'S COMPENSATION

Ch. 36 (Approved 3/20/65).

Ch. 80 (Approved 4/6/65). Ch. 36 requires medical aid contracts to provide the injured workman with medical service equal to that provided by the Industrial Insurance Department for noncontract cases; payment of fees to licensed physicians who are not members of a medical contracting group but who render services to a contract-covered employee; and specifies that these fees not exceed the agreed fee schedule of this group and shall be subject to a proration of payments.

Ch. 80 provides that no contract entered into before Ch. 36 goes into effect shall be invalidated by any provision of that chapter.

Ch. 63 (Approved 4/2/65; effective 8/6/65). Provides that an attorney may charge up to 30 percent (rather than 35 percent as before) of any award increase that is secured by the attorney.

Ch. 122 (Approved 4/9/65; effective 8/6/65). Raises the weekly benefits for temporary or permanent total disability from \$38.08-\$71.54 to \$42.69-\$81.23, and the weekly death benefits from \$28.84-\$56.54 to \$32.31-\$63.92, depending upon the number of dependents. Raises from \$100 to \$115 a month the additional amount allowed for services of an attendant. Raises from \$500 to \$600 the additional lump-sum payment at death payable to a surviving widow, invalid widower, or dependent parents, and from \$500 to \$600 the burial allowance. Raises from \$1,500 to \$2,000 the lump sum payable to a widow upon her remarriage.

Ch. 165 (Approved 5/12/65; effective 7/1/65). Increases schedule permanent partial benefits; for instance, sets \$15,000 rather than \$9,750 for loss of an arm or of a leg above the knee, and \$6,000 rather than \$4,875 for the loss of an eye by enucleation.

Provides for cancellation of benefits to a workman who is subsequently confined in, or who becomes eligible for benefits while confined in, any institution under conviction and sentence; requires resumption of benefits after his discharge. Provides, however, that any benefits payable to the incarcerated workman for himself and his beneficiaries shall be paid to his beneficiaries.

Creates a committee on industrial insurance appeals to review the handling of appeals and methods of improving and expediting the processing of cases. Requires the committee to report with specific recommendations to the Governor and the Legislative Council prior to November 1, 1966.

Ch. 166 (Approved 5/12/65; effective 7/1/65). Raises from \$125 to \$165 a month the benefits currently being paid to an unmarried permanently disabled worker under a prior award, and from \$155 to \$190 for a permanently disabled worker who has a wife or an invalid husband, plus \$100 per month if an attendant is required. (Previously the specific amount allowed for the attendant was not designated in the law.) Raises the benefits from \$75 to \$155 a month if the husband is not an invalid and the wife and husband are living together.

Requires the employer to furnish transportation, at the expense of the medical aid fund, when an employee's injury requires his being taken from the place of injury to a place of treatment. (Previously the employer was required to furnish transportation at his own expense.)

## WEST VIRGINIA

(Regular Session: 1/13/65--3/15/65).

### INDUSTRIAL RELATIONS

H. 658 (Approved 3/8/65). Authorizes the Commissioner of Labor to investigate and mediate labor disputes, whether or not involving a collective bargaining contract, provided that his services are requested by both parties to the dispute. Also authorizes him to arbitrate such disputes, or arrange for the selection of boards of arbitration. (Formerly such services were established in practice by the Governor.)

### OCCUPATIONAL SAFETY AND HEALTH

H. 677 (Approved 3/15/65). Requires the minimum standards of safety and construction of the National Electrical Code be followed in the installation, repair, moving, and maintenance of all electrical wiring, apparatus and equipment in all factories, and mercantile establishments, mills, or workshops.

### STATE DEPARTMENT OF LABOR

H. 658. See Industrial Relations.

### WAGES--EQUAL PAY

H. 659 (Approved 3/19/65; effective 6/10/65). Prohibits any employer from discriminating in any manner between the sexes in the payment of wages for comparable work requiring comparable skills, despite any contract to the contrary. Specifies that the term "employer" does not include State, municipalities, or political subdivisions thereof having a civil service system based on merit, nor does it include those whose operations are subject to any Federal law requiring equal pay for equal work regardless of sex.

Prohibits reducing wage rates to effectuate wage equalization. Obligates the Commissioner of Labor to enforce the provisions of the law.

Provides for a civil action by employees in their own behalf or in behalf of others similarly situated to recover unpaid wages for the 1-year period preceding commencement of the action and an equivalent amount as liquidated damages. Permits the court to allow reasonable attorney's fees.

Prohibits discrimination against any employee in the payment of wages because the employee has filed a complaint or as a result of the employee's cooperation in any proceeding under the act.

### WORKMEN'S COMPENSATION

S. 20 (Approved 4/18/65; effective 7/1/65). Raises benefits for temporary total and permanent partial disability from \$38 to \$42 a week.



## West Virginia

Raises the maximum initial medical benefits from \$2,400 to \$3,000, and permits the administrative agency to authorize unlimited additional benefits instead of benefits up to \$800 as formerly.

Provides that payments for permanent partial schedule injuries shall be in addition to payments for temporary total disabilities.

## WISCONSIN

(Regular Session: 1/13/65--not yet adjourned)

### CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 210 (Approved 8/16/65; effective 8/21/65). Establishes meal periods for minors conforming to those set administratively by the Industrial Commission.

Deletes provision requiring employers of three or more females or minors to register with the Commission. Retains provision that the employer keep records of hours of employment, wages, and such other records as the Commission requires.

### DISCRIMINATION IN EMPLOYMENT

Ch. 230 (Approved 8/18/65; effective 8/27/65). Amends the fair employment practice act to prohibit discrimination in employment against properly qualified persons because of handicap.

### INDUSTRIAL RELATIONS

Ch. 85 (Approved 7/7/65; effective 6/12/65). Establishes procedures for the selection of a labor negotiator to represent a municipal employer.

### MIGRATORY WORKERS

Ch. 188 (Approved 8/3/65; effective 8/11/65). Specifically authorizes the State Board of Health to administer and enforce provisions relating to certification of migrant labor camps. Prohibits the Board representative from inspecting camp premises without notice to the camp owner or person in charge that inspection is intended. Authorizes the Board representative to enter public or private property, after proper notice, to determine whether a camp exists.

### WAGES--PREVAILING WAGES

Ch. 2 (Approved 3/17/65).

Ch. 4 (Approved 3/17/65). Specifically makes overtime provisions under the prevailing wage law apply to laborers and mechanics

who deliver mineral aggregate to the worksite and deposit it in place. Exempts from the law laborers or mechanics engaged in processing or manufacturing of materials or products or their delivery by or for commercial establishments engaged in supplying such products from fixed place of business.

Ch. 484 (Approved 12/15/65; effective 1/1/66). Specifies that the prevailing wage law applies to highway, street, or bridge construction, rather than to public works projects in general.

#### WAGES AND HOURS--WOMEN AND MINORS

S.J. Res. 96 (Adopted 7/29/65). Directs the Joint Legislative Council (in conjunction with the Industrial Commission staff) to make a study of the Wisconsin minimum wage laws as it affects business and industry and the various classes of employment, and the minimum wage bills introduced in the 1965 legislature, and to report its findings and recommendations, including any proposed legislation, to the 1967 legislature at the opening of its regular session.

#### WAGES--WAGE GARNISHMENT

Ch. 507 (Approved 12/21/65; effective 1/1/66). Repeals and reenacts the garnishment law. Defines income as gross receipts less Federal and State withholding and Social Security taxes.

Exempts for a person with dependents \$120 of income for the 30-day period prior to service of process plus \$20 for each dependent, up to 85 percent of the income. (Formerly exempted 60 percent with a minimum exemption of \$100 and a maximum of \$120, plus \$20 per dependent, up to 75 percent of income.) Increases the subsistence allowance for persons without dependents from \$20 to \$25. (The exemption for persons without dependents and the subsistence allowance for persons with dependents are unchanged.)

#### WORKMEN'S COMPENSATION

Ch. 166 (Approved 7/30/65; effective 8/1/65). Increases from \$91.43 to \$97.15 the maximum average weekly earnings used in computing benefits for temporary disability, permanent total disability, and death, thereby raising the maximum weekly benefits from \$64 to \$68 for temporary disability and permanent total disability, and from  $45.71\frac{1}{2}$  to  $48.57\frac{1}{2}$  for death. Increases from \$63.57 to \$65.72 the maximum average weekly earnings to be used in computing benefits for permanent partial disability, thereby raising the maximum weekly benefits from \$44.50 to \$46.

Reduces from  $333\frac{1}{3}$  to 330 weeks the schedule period for total deafness, and increases from 50 to 55 weeks the schedule period for total deafness of one ear.

## Wisconsin

Allows the employing department of a State employee to approve the payment of the initial or total medical expenses, up to a maximum of \$50 for each injury case, without formal order from the Industrial Commission.

Specifies that disability and death benefits shall be reduced 15 percent where an employee fails to use provided safety devices or to follow a safety rule. Formerly, the failure had to be willful.

Ch. 524 (Approved 12/29/65; effective 1/19/66). Extends coverage of the workmen's compensation act to county undersheriffs, deputy sheriffs, traffic policemen, and investigators employed by the Attorney General's office.

## WYOMING

(Regular Session: 1/12/65--2/21/65)

### DISCRIMINATION IN EMPLOYMENT

Ch. 170 (Approved 3/1/65; effective 7/1/65). Prohibits discrimination in employment because of race, creed, color, national origin, ancestry, or sex by employers, employment agencies, and labor organizations. Specifies as unfair such employment practices as refusing to hire; discharging; discriminating in matters of compensation or union membership. Exempts employers of less than two persons and religious organizations.

Creates a three-member Fair Employment Practice Commission, chaired by the Commissioner of Labor and Statistics, to administer the law. Authorizes the Commission to make rules and regulations and to enter into agreements, exchange information, and otherwise assist the Federal Equal Employment Opportunity Commission, and to accept reimbursement for services rendered.

Authorizes the Commission to receive and investigate complaints filed by aggrieved persons and to initiate complaints on its own motion; to hold hearings; to issue orders requiring a guilty party to cease and desist and to take affirmative action, such as hiring, upgrading of employees with or without back pay, referring applicants for employment, or restoring persons to union membership. Provides for judicial review and enforcement of such orders.

### INDUSTRIAL RELATIONS

Ch. 197 (Law without approval 3/5/65; effective 5/22/65). Grants to firefighters the right to bargain collectively with their respective cities, towns, or counties, through representatives of their own choice. Requires the organization selected by the majority of the firefighters in any department to represent all of the members of the department. Requires officials of the city, town, or county to meet and confer in good faith with the bargaining agent within 10 days after receipt of a written notice requesting a meeting for collective bargaining purposes.

## Wyoming

Sets procedures for arbitration and selection of arbitrators when the parties fail to reach agreement within a specified period.

### WAGES AND HOURS--ALL WORKERS

Ch. 97 (Approved 2/18/65; effective 5/22/65). Increases the minimum rate from 75 cents to \$1.00 an hour. Replaces the former provision permitting the Commissioner of Labor and Statistics to bring civil action for the recovery of back wages with a provision that permits the employee to file a civil action for such recovery.

### WORKMEN'S COMPENSATION

Ch. 17 (Approved 2/1/65; effective 5/22/65). Extends coverage to aircraft pilots of the Wyoming Aeronautics Commission.

Ch. 18 (Approved 2/1/65; effective 5/22/65). Extends coverage to resident aircraft pilots and flight personnel of domestic aircraft firms not engaged in scheduled interstate traffic.

Ch. 193 (Approved 3/4/65; effective 3/1/65). Raises benefits for certain schedule injuries. For example, for loss of a thumb, from \$800 to \$900; for the loss of a hand, from \$5,000 to \$5,500; for the loss of an arm above the elbow, from \$6,000 to \$6,800; for the loss of a leg above the knee, from \$5,280 to \$5,800.

Raises the total maximum for permanent total disability for the worker from \$12,000 to \$17,500, and for death from \$10,000 to \$13,000, additional maximum benefits for dependent children for both disability and death from \$7,000 to \$10,000.

Newly provides that the district court, upon application to it, may award an additional amount for an artificial replacement plus expenses in connection therewith, if it determines that the statutory amount of \$500 plus \$150 for necessary expenses is inadequate.

## UNITED STATES

(89th Congress--First Session)

Public Law 89-4 (Approved 3/9/65; terminates 7/1/71). Establishes the Appalachian Regional Development program. Provides economic development programs, public works, and the planning and coordination needed to assist in the development of the Appalachian region, composed of 360 counties in the States of Alabama, Georgia, Kentucky, Maryland, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia. Creates an Appalachian Regional Commission (composed of one Federal member, appointed by the President, and the Governor of each State in the region, or his representative) whose functions include preparation of programs for the region's economic development, formulation of compacts among the States, and encouragement of the formation of



local development districts. Directs the Commission to consult with the Governor of New York on the possibility of including areas in that State within the definition of Appalachia.

Makes modifications in existing programs; for example, authorizes the construction of vocational schools in Appalachia, makes the Appalachian Commission an agency eligible to obtain comprehensive planning grants under the Housing Act of 1954, and authorizes funds to enable the people and organizations of Appalachia to take full advantage of certain Federal grant-in-aid programs formerly closed to them because of their economic inability to supply the required matching share.

Makes the provisions of the Davis-Bacon Act and the authority conferred on the Secretary of Labor by Reorganization Plan No. 14 of 1950 applicable to federally assisted construction work provided for under the act.

Public Law 89-10 (Approved 4/11/65). Elementary and Secondary Education Act of 1965. Provides the first general Federal assistance to elementary and secondary schools. Amends the act providing assistance for schools in federally impacted areas by adding special incentive grants to be made by the Commissioner of Education to local educational agencies for the education of children of low-income areas. Permits school districts to use funds for hiring additional personnel, construction of facilities, acquisition of equipment, and other appropriate items.

Amends the Cooperative Research Act of 1954 by authorizing the Commissioner of Education to make grants to certain institutions of higher learning, both public and private, to educational agencies, and individuals for the purpose of conducting research, surveys, and demonstration projects in the field of education and to make arrangements for the construction and operation of regional facilities for educational and related purposes. Makes the Davis-Bacon Act wage determination requirements applicable to all construction projects federally assisted under this act and gives the Secretary of Labor the authority set forth in Reorganization Plan No. 14 of 1950.

Authorizes the Commissioner of Education to appoint a 10-member advisory council to advise and consult with him regarding his functions and responsibilities under the act. Prohibits certain Federal control over education and prohibits payments under the act for religious worship or instruction.

Public Law 89-15 (Approved 4/26/65). The Manpower Act of 1965. Amends the Manpower Development and Training Act. Authorizes the Secretary of Labor to conduct research on the Nation's manpower problems by making grants and entering into contracts to undertake experimental and demonstration projects as a research function in such areas as problems of the long-term unemployed disadvantaged youth, displaced older workers, the handicapped and members of minority groups.

United States

Removes the 50 percent restriction on grants for relocation expenses of involuntarily unemployed individuals who cannot reasonably be expected to secure full-time employment in the community in which they reside, have bona fide offers of permanent employment, and are deemed qualified to perform such work.

Authorizes demonstration projects to assist in placing trainees who have already successfully completed or participated in federally assisted training but who have faced problems in obtaining jobs, particularly because of difficulty in being bonded.

Provides specific authority for assisting job development programs through on-the-job training and other suitable methods.

Increases from 52 to 104 weeks the period of training-allowance support to permit training for higher skills and technical jobs. Increases allowances for trainees with large family responsibilities by \$5 per week for each dependent over two in number, up to a maximum of four dependents. Provides that transportation allowances may be paid for daily commuting between the residence and the place of training.

Deletes the provision that not more than one person in a household may receive allowances at one time. Also permits the payment of training allowances to single persons without dependents living in one-member households. Eases certain restrictions formerly imposed upon the payment of training allowances to youths under 22 years of age.

Repeals the training provisions of the Area Redevelopment Act and adds a new part to the Manpower Development and Training Act to provide for training in redevelopment areas. Authorizes such training to be carried out by the Secretaries of Labor and of Health, Education, and Welfare, in consultation with the Secretary of Commerce.

Permits the Secretaries of Labor and of Health, Education, and Welfare to delegate to the States the approval of programs which do not cost more than \$75,000.

Public Law 89-36 (Approved 6/8/65). National Technical Institute for the Deaf Act. Authorizes the Secretary of Health, Education, and Welfare to enter into an agreement with an institution of higher education for the establishment and operation of a National Technical Institute for the Deaf to provide post-secondary technical training and education for deaf persons to prepare them for successful employment. Makes the Davis-Bacon Act applicable to construction which is federally assisted under the act, and gives the Secretary of Labor the authority provided for in Reorganization Plan No. 14 of 1950.

Public Law 89-43 (Approved 6/18/65). Extends the application of the Reorganization Act of 1949 to plans submitted to the Congress at any time before December 31, 1968, rather than June 1, 1965.

Public Law 89-60 (Approved 7/8/65). Extends the Juvenile Delinquency and Youth Offenses Control Act of 1961 for the next 2 fiscal years, ending June 30, 1967.

United States

Public Law 89-73 (Approved 7/14/65). Older Americans Act of 1965. Sets forth a number of objectives for older Americans, including opportunity for employment with no discrimination because of age, and adequate retirement income.

Establishes the Administration on Aging in the Department of Health, Education, and Welfare and creates the Office of Commissioner on Aging whose functions include serving as a clearinghouse for information and gathering statistics related to problems of aging, and stimulating more effective use of existing resources and services for the aged and aging.

Authorizes grants to be used in community planning of programs, demonstration programs, training of special personnel, and establishing new or expanding existing centers for recreation and informational centers for health and welfare.

Establishes an Advisory Committee on Older Americans to advise the Secretary of Health, Education, and Welfare regarding his responsibilities under the act.

Public Law 89-97 (Approved 7/30/65). Amends the Social Security Act. Increases the old-age survivors and disability insurance benefits by 7 percent, raising the minimum monthly benefits for the wage earner from \$40 to \$44 and the maximum from \$127 to \$135.90. Also increases the contribution and benefits base from \$4,800 per year to \$6,600, ultimately raising maximum benefits to \$168. Provides that a beneficiary may earn up to \$1,500 a year without deduction from his benefits; that if his earnings exceed \$1,500, \$1 in benefits will be withheld for each \$2 of annual earnings up to \$2,700 and for each \$1 of earnings thereafter. Provides for the payment of child's insurance benefits until the age of 22 if the child is a full-time student after age 18, and permits widows to elect to receive benefits (actuarially reduced) at age 60.

Makes certain other changes affecting coverage, including a provision relating to tips: if an employee earns \$20 or more in tips per month, such tips are to be considered as wages for social security and income tax withholding purposes, except that employers are not required to pay the social security employer tax on the tips. Also amends provisions relating to farm operations by specifying that such operators whose annual gross earnings are \$2,400 (rather than \$1,800) or less will be permitted to report either their actual net earnings or 66-2/3 percent of their gross earnings; those whose annual gross earnings are over \$2,400 are required to report their actual net earnings of \$1,600 or more, but if gross earnings are less than \$1,600, they may report either their actual net earnings or \$1,600.

Provides a more effective Kerr-Mills program and extends its provisions to additional needy persons. Also increases the amount authorized for assisting the States in programs relating to maternal and child health, crippled children, and child welfare services.

Provides for "Medicare." Sets up two related health insurance programs for persons 65 years of age and over: (1) a basic plan covering the costs of hospital and related care; and (2) a voluntary supplementary plan covering payments for physicians' services and

## United States

other medical and health services to cover areas not included in the basic plan. Includes among its services (after certain deductible amounts) inpatient hospital care, outpatient extended care, posthospital home health services, and outpatient diagnostic services. Provides that the basic plan will be financed through a separate earnings tax and separate trust fund, and benefits for persons over 65 who are not insured under Social Security or the Railroad Retirement system will be financed out of Federal general revenues. Provides that enrollment in the supplementary plan is voluntary and will be financed by a monthly premium of \$6, of which \$3 is to be paid by the enrollee and \$3 by the Federal Government.

Public Law 89-105 (Approved 8/4/65). Amends the Mental Retardation Facilities and Community Mental Health Centers Construction Act. Authorizes grants by the Secretary of Health, Education, and Welfare to assist in the establishment and initial operation of community mental health centers providing a comprehensive community mental health plan.

Authorizes the Commissioner of Education to make grants to institutions of higher education for the construction, equipping, and operation of facilities for research or related purposes. Requires payment to all laborers and mechanics employed by contractors or subcontractors on such construction projects, of wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act and under the Secretary's authority in Reorganization Plan No. 14 of 1950.

Public Law 89-109 (Approved 8/5/65). Extends for 3 years (until June 30, 1968) the current program which provides health services for domestic agricultural migratory workers. Specifically authorizes for the first time necessary short-term hospital care for such workers and their families.

Provides a 1-year extension of the existing program under which the Surgeon General is authorized to award formula grants on a matching basis to State and local health departments to assist in paying for the cost of programs in the fields of general health services, mental health, radiological health, health services for the chronically ill or aged, and dental public health services.

Public Law 89-110 (Approved 8/6/65). Voting Rights Act of 1965. Grants to all citizens of the United States a right to be free from enactment or enforcement of voting qualifications or prerequisites to voting or procedures, standards, or practices which deny or abridge the right to vote because of race or color. Specifically prohibits the use of educational, good character, or other specified tests in those States and political subdivisions where there is evidence that the purpose of such tests is to deny or abridge a person's right to vote on account of his race or color; provides for the appointment of Federal voting examiners and poll watchers to insure that the provisions of the act are carried out;



United States

provides injunctive relief against the collection of poll taxes where such taxes are used to abridge rights protected under the 14th and 15th Amendments; and prohibits the States from requiring persons educated in their native language to pass English language literacy tests in order to vote.

Public Law 89-115 (Approved 8/9/65). Health Research Facilities Amendments of 1965. Extends for 3 years the programs for construction of health research facilities under the Public Health Service Act. Retains the provisions for the payment of prevailing wages as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, and for giving the Secretary the authority prescribed by Reorganization Plan No. 14 of 1950.

Public Law 89-117 (Approved 8/10/65). Housing and Urban Development Act of 1965. Provides for the construction and rehabilitation of 60,000 additional low-rent public housing units per year in the next 4 years. Specifies that the Davis-Bacon Act and Reorganization Plan No. 14 of 1950 apply to various construction programs under the act.

Public Law 89-136 (Approved 8/26/65). Public Works and Economic Development Act of 1965. Authorizes the Secretary of Commerce to make grants to acquire and develop land for public service or development facility use in redevelopment areas. Specifies that the grants must create long-term employment opportunities and primarily benefit the long-term unemployed and low-income families.

Authorizes supplementary grants to enable the States and other entities to participate in certain other Federal aid programs formerly denied them because they could not afford the required matching share. Authorizes grants for areas which are determined by the Secretary of Labor, on the basis of average annual available unemployment statistics, to have been areas of substantial unemployment during the preceding calendar year.

Authorizes the Secretary of Commerce to designate areas meeting certain criteria as "redevelopment areas." Directs the Secretary of Labor to find the facts and provide data to be used by the Secretary of Commerce in making his determinations. Also specifies that certain Federal and State Indian-owned areas in economic distress, and areas experiencing or expected to experience sudden and severe job losses due to an emergency, such as a major plant shutdown, are to be designated as such areas.

Specifies that the provisions of the Davis-Bacon Act shall apply to federally assisted construction projects under this act.

Public Law 89-137 (Approved 8/26/65). Amends the benefit provisions for veterans which require vocational rehabilitation for certain disabilities arising out of military service during and after World War II. Provides a "realistic" cost-of-living increase in the rates of subsistence allowances for such veterans while pursuing vocational rehabilitation training. Also deletes the

United States

provision under which those receiving service-connected disability compensation under that law could not receive the specified additional compensation for dependents during any period when they were receiving an increased rate of subsistence, education, or training allowances (because of dependents) from the Veterans' Administration under any other provision of law.

Public Law 89-138 (Approved 8/26/65). Further amends the benefit provisions for veterans by extending to all those seriously disabled, the liberalized time limits that were formerly available only to blinded veterans. Provides that such veterans may now be afforded training during a period up to 10 years after the termination of eligibility date otherwise applicable to them, or up to June 30, 1975, whichever is later.

Public Law 89-173 (Approved 9/8/65). National Capital Transportation Act of 1965. Creates the National Capital Transportation Agency to design, construct, and equip rail rapid transit lines in the National Capital region. Provides for the operation of the proposed system by private enterprise, rather than by the Agency itself. Makes the Davis-Bacon Act applicable to construction contracts entered into by private contractors.

Incorporates the provisions of the Urban Mass Transportation Act of 1964 that requires the Secretary of Labor, as a condition of any contract let to a private company for the operation of a transit line under the act, to certify that fair and equitable arrangements have been made to protect the interests of employees affected by such contracts, including the continuation of collective bargaining rights.

Public Law 89-174 (Approved 9/9/65). Establishes a Department of Housing and Urban Development, headed by a Secretary, to provide effective administration of the principal Federal programs of housing and urban development. Authorizes the Secretary to advise the President on matters pertaining to housing and urban development, coordinate Federal activities in this area, and to provide assistance to the States and local governments regarding their housing and urban development problems.

Transfers and vests in the Secretary all the functions, powers, and duties of the Housing and Home Finance Agency and the Federal Housing Administration and the Public Housing Administration in the latter agency.

Public Law 89-176 (Approved 9/10/65). Authorizes the Attorney General to permit certain Federal prisoners to leave prison for certain periods of time and under certain prescribed conditions in order, among other things, to contact prospective employers, work at paid employment or, if the prisoner wishes, participate in a community training program. Provides that for paid employment and training, representatives of certain labor organizations must be

consulted; the paid employment must not result in the displacement of employed workers, or be applied in skills, crafts, and trades in which there is available labor in the locality, or impair existing contracts for services; and the wage rates and work conditions must not be less than or inferior to those prevailing in the locality for work of similar nature.

Authorizes the Attorney General to collect from the gainfully employed prisoner whatever costs are incident to his confinement.

Deems abuse of the Attorney General's trust under this program as an escape from custody (which is a criminal offense under Federal law).

Extends the Attorney General's authority under this act to all persons committed to the National Training School for Boys.

Public Law 89-182 (Approved 9/14/65). State Technical Services Act of 1965. Authorizes funds for a 3-year program of matching Federal grants to the States to speed the development and dissemination of the findings of science and technology throughout American business, commerce, and industry, including sponsoring industrial workshops, seminars, training programs, extension courses, demonstrations, and field visits designed to encourage the more effective application of scientific and engineering information.

Public Law 89-209 (Approved 9/29/65). Establishes a National Foundation on the Arts and Humanities, composed of a National Endowment for the Arts, a National Endowment for the Humanities, and a Federal Council on the Arts and the Humanities, the purpose of which is to develop and promote a broadly conceived national policy of support for the humanities and the arts.

Authorizes the National Endowment for the Arts to establish and carry out a program of matching grants to groups, or, in appropriate cases, to individuals engaged in or concerned with the arts. Requires adequate assurances to the Secretary of Labor that the person or agency receiving such grant shall pay all professional performers and related supporting professional personnel not less than the minimum compensation as determined by the Secretary to be the prevailing minimum in similar activities, and that no part of any project or production will be performed under unsanitary or hazardous working conditions. Makes the Davis-Bacon Act applicable to federally assisted construction under the act and gives the Secretary the authority provided for in Reorganization Plan No. 14 of 1950.

Public Law 89-212 (Approved 9/29/65). Amends the Railroad Retirement Act and the Railroad Retirement Tax Act. Repeals the former provision which reduced a spouse's annuity by the amount such spouse might be entitled under certain other provisions of the act or of the Social Security Act.

Increases the base for the purpose of computing benefits from a maximum of \$450 to \$450 or 1/12 of the current maximum annual taxable wages, whichever is greater. Also increases the tax base in the same amount.

United States

Changes the definition of "compensation" in the Railroad Retirement Tax Act which expressly excluded tips, to provide that "solely for purposes of the tax imposed" by this law, the term "compensation" shall include cash tips unless the amount thereof is less than \$20 per month.

Public Law 89-216 (Approved 9/29/65). Amends the Labor-Management Reporting and Disclosure Act. Substitutes an honesty bond for the faithful discharge bond previously required of union employees and officials who handle union funds. Allows the Secretary of Labor to grant bonding exemptions, particularly to permit placement of bonds with qualified and financially sound companies.

Public Law 89-236 (Approved 10/3/65). Immigration and Nationality Act amendments. Replaces the national origins system with a reserve or supply of quota number which, after a transitional period ending in July 1968, does away with the present system of immigration quotas assigned to individual countries. Specifically, grants visas to a certain number of "immigrants who are members of the professions, or who because of their exceptional ability in the sciences or the arts will, in the future, substantially benefit the national economy, cultural intents, or welfare of the United States" and also a like number of "immigrants who are capable of performing specified skilled or unskilled labor, not of a temporary or seasonal nature, for which a shortage of employable and willing persons exists in the United States."

Strengthens controls to protect the American job market from an influx of both skilled and unskilled foreign labor.

Public Law 89-239 (Approved 10/6/65). Authorizes the Surgeon General to make grants to public or nonprofit private universities, medical schools, research institutions, and other public or nonprofit agencies and institutions to assist in the establishment and operation of regional medical programs, including construction and equipment of facilities. Makes the Davis-Bacon wage standards and Reorganization Plan No. 14 applicable to this work.

Public Law 89-253 (Approved 10/9/65). Amends the Economic Opportunity Act of 1964 to extend the Federal Employees' Compensation Act death and disability benefits to enrollees injured or killed while temporarily absent from a center on authorized pass except where death or disability results from willful misconduct.

Extends for 1 additional year the authorization for 90 percent Federal financing which applies to the Neighborhood Youth Corps program, the college work-study program, community action, and adult basic education.

Authorizes special programs directed to the needs of the chronically unemployed who have poor employment prospects or, because of age or other reasons, are unable to secure employment or training under other programs. Specifies that participants will



## United States

work on projects involving management, conservation or development of natural resources, recreational areas, highways, or other lands, and that programs must be in the public interest and be consistent with labor policies applied to other programs under the act. Removes the Governor's absolute veto over the Neighborhood Youth Corps programs and the community action programs provided that after reconsideration the Director of the Office of Economic Opportunity finds a plan consistent with and in furtherance of the purposes of the act.

Enables the Volunteers in the Service of America program to operate in support of all objectives of the act by eliminating the arbitrary limitation on the type of projects to which volunteers might formerly be assigned.

Clarifies the restriction against loans to rural cooperatives organized for manufacturing purposes by making it clear that the limitation does not preclude loans to cooperatives serving low-income rural families in the processing and marketing of cheese, butter, or similar dairy or edible farm products.

Authorizes the Director to develop and implement a program of loans, loan guarantees, and grants, rather than only direct loans to State and local institutions for specified programs to benefit migratory and other seasonal agricultural workers. Adds "cooperatives" to the institutions eligible for grants.

Assures that workers in families subsisting on marginal farming operations with very little cash income are not excluded from participation on the technical ground that they are not "unemployed" for purposes of any particular project limitation that might otherwise be applied.

Public Law 89-286 (Approved 10/22/65). Service Contract Act. Provides labor-standards protection for employees of contractors and subcontractors furnishing services to Federal agencies, including laundry and drycleaning, custodial and janitorial, guard service, packing and crating, food and miscellaneous housekeeping.

Specifically exempts Federal contracts for: construction, supply (covered by the Walsh-Healey Act), carriage of freight or personnel, furnishing of services by communications companies subject to the Communications Act of 1934, and public utility services; individual employment contracts for direct services to a Federal agency; and any contract with the Post Office Department, principally for the operation of postal contract stations.

Requires provisions regarding wages and working conditions to be included in the contracts and bid specifications. Specifies that rates paid to service employees be no less than those determined by the Secretary of Labor to be prevailing for similar employees in the locality, in no event to be less than the minimum required under the Fair Labor Standards Act. Requires notification to employees of the wages and benefits due them under the act.

Requires a provision in the contract specifying, by the various classes of service employees, the fringe benefits to be furnished, as determined by the Secretary to be prevailing for such employees in the locality; and that service or maintenance work shall not be performed under unsafe or unsanitary working conditions, if under the control of the contractor or subcontractor.

In the event of violations, authorizes the withholding of accrued payments necessary to pay covered workers the difference between the wages and benefits required by the contract and those actually paid. Authorizes court action against the contractor, subcontractor, or surety to recover the remaining amount of the underpayment; and provides that the contract may be terminated because of violations and the contractor may be held liable for any resulting cost to the Government.

Directs the payment from funds withheld under the act of any compensation to underpaid employees which the head of the Federal agency or the Secretary of Labor has found to be due. Makes violators of the act ineligible to receive Government contracts for 3 years.

Authorizes the Secretary to make rules, regulations, issue orders, hold hearings, and take other appropriate action to enforce this act including power to permit reasonable variations and exemptions from the act where they are deemed in the public interest or to avoid serious impairment of Government business.

Public Law 89-290 (Approved 10/22/65). Extends the Health Professions Educational Assistance Act of 1963 for 4 fiscal years to provide for improvement grants to augment the quality of educational programs at medical, dental, optometric, osteopathic, and podiatric schools. Authorizes the Surgeon General to make grants to such schools for student scholarships, to be awarded only to students from low-income families who could not otherwise pursue a course of study. Authorizes funds for grants to assist in the construction of new teaching facilities, and replacement or rehabilitation of existing teaching facilities. Retains the provisions on labor standards and makes them applicable to the extended construction grant programs.

Public Law 89-329 (Approved 11/8/65). Higher Education Act of 1965. Provides aid for the next 3 years to community service programs of colleges designed to reduce problems in such areas as housing, unemployment, transportation, and health.

Authorizes matching basic grants and nonmatching supplemental grants for improved college library resources and for library training and research; authorizes funds to the Library of Congress to expand its cataloguing service and to acquire materials of value to scholarship. Provides a 1-year program to bolster the academic quality of developing colleges which meet certain qualifications. Provides funds for undergraduate scholarships.

Authorizes contracts with State and local educational agencies and institutions to identify promising or qualified youth in financial need, and to encourage secondary school and college dropouts to reenter educational programs.

Transfers to the Office of Education the college student work-study program authorized under the Economic Opportunity Act of 1964. (Under this program colleges receive from the Federal Government 90 percent of the cost of providing part-time employment opportunities.) Provides that such students no longer need to be from low-income families, but that they shall be given preference.

United States

Authorizes fellowships and other help to experienced teachers, interns, and persons doing post-graduate study who are planning to teach. Authorizes funds for laboratory or other special equipment for the improvement of undergraduate instruction.

Public Law 89-333 (Approved 11/7/65). Amends the Vocational Rehabilitation Act. Adds four new sections to the act. Authorizes the Secretary of Health, Education, and Welfare to make grants to assist in meeting the cost of construction of public or other non-profit workshops and rehabilitation facilities. Applications for grants must reflect an intent to comply with the Secretary of Labor's safety regulations as well as his prevailing wage determinations under the Davis-Bacon Act. In addition, specifies that the Secretary is vested with authority with respect to the labor standards provided in reorganization plan No. 14.

Authorizes the Secretary of Health, Education, and Welfare to make grants to pay 90 percent of the cost of projects for training the handicapped in public and nonprofit workshops and rehabilitation facilities, and to provide allowances for persons receiving such training and services up to \$25 plus \$10 for each dependent up to a total of \$65 weekly, payable for up to 2 years.

Authorizes grants to public or other nonprofit workshops for 5 years to pay part of the cost of projects to analyze, improve, and increase their professional services to the handicapped, their business management, or other operations affecting their capacity to provide employment and services for the handicapped.

Provides for technical assistance to workshops directly or by contract with State vocational rehabilitation agencies, experts, or consultants.

Creates a National Policy and Performance Council to advise the Secretary of Health, Education, and Welfare with respect to policies and criteria for making grants, and a National Commission on Architectural Barriers to Rehabilitation of the Handicapped to plan necessary action so the handicapped may achieve ready access to buildings or facilities.





***Part II***

**Annual Digest**

**Laws Enacted in 1966**



## INTRODUCTION

The legislatures of 23 States 1/ and Puerto Rico met in 1966, of which two met for budget purposes only. Approximately 300 laws were passed in the labor and related fields, including amendments to child labor, women's hours, industrial relations, occupational safety and health, and workmen's compensation laws. New or continued programs relating to training or retraining were provided for. A new fair employment practice act was passed in Kentucky. Particular activity was evident in the field of wages, which included a new minimum wage law in West Virginia, more comprehensive minimum wage laws than formerly in New Jersey and the District of Columbia; new equal pay laws in Georgia, Kentucky, Maryland, and South Dakota; in Maryland a new wage payment and wage collection law; and prohibition of the business of debt pooling in Delaware.

Child Labor and School Attendance.--New York revised its child labor law, simplifying procedures for securing work permits for minors under 18 by providing for the issuance of certificates to be used not only for the initial job but also for any subsequent ones. The amendment also prohibited the employment of minors under 18 in numerous hazardous occupations. Several other States also made changes in the minimum age for employment in hazardous occupations. For instance, Maryland raised from 16 to 18 the minimum age for employment of boys and girls in motion picture theaters and set an 18-year minimum for their employment in theaters devoted exclusively to amateur productions. Virginia raised the minimum from 16 to 18 for girls employed in selling or soliciting subscriptions or orders for books or periodicals, retaining the minimum of 16 for boys in this work, but setting additional standards for their employment. Michigan set 18 instead of 19 for telegraph operators handling train orders for railroads.

Louisiana and New York amended the hours of work provisions for minors. Louisiana reduced the age for prohibited nightwork; for instance, boys of 16 and 17 may now work after 10 p.m. and girls of 17 and over who are attending school may work until 10 p.m. instead of 7 p.m. New York amended its nightwork provisions for girls 18 to 21 employed in factories, allowing them to work until midnight instead of until 10 p.m., when working conditions are declared safe and satisfactory by the Industrial Commissioner.

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1/ Alaska, Arizona, California, Colorado, Delaware, Georgia, Hawaii, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Mississippi, New Jersey, New Mexico, New York, Pennsylvania, Rhode Island, South Carolina, South Dakota, Virginia, and West Virginia.

Discrimination in Employment.--Kentucky enacted a comprehensive fair employment practice act, prohibiting discrimination in employment because of race, color, national origin, or religion. Such laws are now in effect in 35 States, 2/ the District of Columbia and Puerto Rico. New Jersey removed the numerical exemption from its law, and Massachusetts authorized the keeping of certain records by employers and labor organizations with fewer than 100 employees or members (to be reduced, in stages, to 25 by June 30, 1968). Massachusetts also changed its law prohibiting discrimination in employment because of age to make it applicable to persons between 40 and 65 instead of between 45 and 65.

Hours.--Three States and the District of Columbia changed the exemptions under their women's hours laws. Arizona permitted females, in an emergency, to work longer hours providing they receive overtime pay of at least time and one-half the regular rate for hours over 8 in a day. The District of Columbia and Massachusetts added an exemption for persons in professional, executive, or administrative capacity. And in Virginia, female employees 18 years of age and over were excluded from the maximum hours law if they worked in businesses that meet the requirements of the Fair Labor Standards Act on wages, hours, and recordkeeping.

Industrial Relations.--Following recent trends, four States passed laws affecting the rights of public employees. Wisconsin's labor relations act was extended to State employees for the first time, giving them the right to join employee organizations of their choice and engage in collective bargaining, however, strikes were prohibited. The result of a New York enactment was to waive the penalties of the Condon-Wadlin Act (banning strikes by public employees) for employees of the New York City Transit Authority and the Manhattan and Bronx Surface Transit Authority who were involved in the 12-day strike in 1966. Rhode Island passed a school teachers' arbitration act. Louisiana permitted public employers to check off union dues with the written approval of the employee.

Enactments affecting employees in private industry included one in New York extending its labor relations act to employees in hotels and restaurants owned by nonprofit organizations, except members of religious orders or volunteers; one in Delaware exempting activities arising out of labor disputes from the law prohibiting congregating in any public street; and one in Virginia requiring all labor organizations in the State to register every 3 years with the Department of Labor and Industry.

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2/ Alaska, Arizona, California, Colorado, Connecticut, Delaware, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Utah, Vermont, Washington, Wisconsin, and Wyoming.



The use of lie-detector tests as a condition of beginning or of continuing employment was prohibited in Delaware, Maryland, and New Jersey, joining seven States passing such laws in the past few years: Alaska, California, Hawaii, Massachusetts, Oregon, Rhode Island, and Washington

Occupational Safety and Health.--General safety and health laws were amended by several States. Virginia revised its mine safety law and, by another measure, required that safeguards for the protection of workmen should also be adequate to provide safety to the general public while certain work is in progress. Michigan authorized the State Safety Construction Commission to issue rules and regulations for safe working conditions, rather than only to issue rules and regulations on inspection and use of equipment. Alaska requested the Commissioner of Labor to revise, update, and improve its general safety code. Maryland authorized the Commissioner of Labor and Industry to deputize qualified county or municipal employees to act as his agent in the inspection of excavation work.

A New Jersey law required railroads, express companies, and airlines to provide lunchrooms, restrooms, and sanitary facilities wherever employees are at work in the State.

Safety in the field of radiation continues to be a subject of legislation. This year Kentucky broadened the scope of its program for the control of radiation sources to include activities designed to promote scientific and technological advances and applications, and the establishment of special educational and training projects by the newly created Science and Technology Commission and its advisory council. Maryland created an Advisory Commission on Atomic Energy to advise the Governor and the State government on peaceful application of atomic energy.

Delaware, Louisiana, Rhode Island, and Virginia required students and teachers to wear eye-protective devices in certain courses, making a total of 21 States 3/ now requiring such devices. Massachusetts amended its law to make it applicable to any school, rather than any public school, and a New York amendment permitted the Industrial Commissioner to issue regulations for such devices.

Private Employment Agencies.--Virginia strengthened its law regulating private employment agencies by requiring employers to advise the agencies of the terms and conditions of employment, and prohibiting an agency from advertising that its services are free if any person assumes any liability for the fee. Another Virginia amendment required an employment agency to give the applicant a copy of the contract at the time it is entered into. Massachusetts amended the special law regulating agencies procuring out-of-State domestic workers, to make it applicable to agencies procuring any out-of-State workers.

3/ Alabama, Arkansas, California, Connecticut, Delaware, Florida, Illinois, Iowa, Louisiana, Maryland, Massachusetts, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Texas, Utah, and Virginia.

State Department of Labor.--Michigan authorized a legislative committee to study the operation of the Department of Labor, concentrating on the reorganization currently underway. New York updated and clarified the labor law provisions governing appeals to the Board of Standards and Appeals and to the courts, bringing such provisions into conformance with recent legislation and practices.

Training and Retraining.--In recent years a number of States have passed manpower training laws that established various programs to promote training and vocational education that would equip workers with skills more relevant to the economy. New York enacted a manpower training act to provide unemployed and underemployed persons with institutional and on-the-job training for work in occupational categories that are in short supply; and also to set up two programs for youth under 21 years of age: a conservation camp program, and a nonresident development and work-training program.

To implement a 1961 technical education and training act, South Carolina authorized two additional counties to establish commissions to study the need for area technical vocational schools (about a dozen county commissions have been authorized since 1961), and when funds are appropriated, to provide training programs coordinated with the State's program for industrial expansion.

Delaware created the Institute of Technology designed to establish educational institutions in the State for persons who have graduated from or are unable to attend high school. Mississippi authorized the State Board of Vocational Education to set up workshops in the State for rehabilitation of handicapped persons.

Wage Standards.--With the enactment of a West Virginia law, there are now 40 jurisdictions <sup>4/</sup> that have minimum wage laws, although in 3 of these no rates are in effect. The West Virginia law provided a minimum hourly rate of \$1 an hour for men, women, and minors. New Jersey, while retaining its wage board law applicable to women and minors only, enacted a statutory minimum wage law, establishing a minimum rate of \$1.25 an hour, rising to \$1.50 an hour by January 1, 1969. An amendment to the 1918 District of Columbia minimum wage law was passed by the 89th Congress, establishing a minimum statutory rate, and, also for the first time, making the law applicable to men. The minimum rate was set at \$1.25 an hour, rising in two steps to \$1.60 two years later. This amendment as well as the New Jersey and West Virginia enactment required overtime pay of at least time and one-half the regular rate of pay after a specified number of hours.

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<sup>4/</sup> Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Idaho, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Dakota, Utah, Vermont, Washington, West Virginia, Wisconsin, and Wyoming. Illinois, Kansas, and Louisiana, have no rates in effect.

Michigan made several significant amendments, including changes in coverage to delete the length-of-time requirement, leaving only the numerical limitation (employers of four or more employees); and a reduction in the allowance from 40 percent to 25 percent of the hourly rate for tips, meals, and lodging.

Two States provided two-step increases in the statutory minimum rate: New York from \$1.25 to \$1.50 an hour, then to \$1.60, and Massachusetts from \$1.35 to \$1.40, then to \$1.60.

Kentucky made its wage board law applicable to men; formerly it applied only to women and minors; and South Dakota extended the application of its law from "females" to "persons" over 14 years.

**Wage payment and wage collection.** Maryland enacted a new law with comprehensive coverage of businesses requiring payment of wages in lawful money, at least semimonthly, and on the next regular payday if employment is terminated. The act prohibited deductions, other than those required by law, without authorization from the employee, and required the employer to furnish a wage statement each payday. The Department of Labor and Industry was authorized to collect unpaid wages for employees, making a total of 25 laws 5/ that give such authority to an administrative agency.

The New York law was amended to increase coverage, so that it now includes domestic workers and employees of nonprofit organizations. The amendment also required the employer to pay wages on the next regular payday following termination of employment, to provide a wage statement each payday, and to keep payroll records.

A few other States added protections for certain workers in connection with their wages. Louisiana and Massachusetts redefined "wages" to include certain fringe benefits. Louisiana also made publishers responsible jointly with local agents for payment of wages to door-to-door salesmen of magazines and periodicals. Hawaii required employers of 25 or more persons to pay wages lost during service on a jury or public board. A Utah amendment deleted the exemption from its wage payment law for banks and mercantile houses, to conform to a court ruling that such exemptions were unconstitutional. Alaska became the fifth State 6/ to enact a law specifically authorizing the Labor Commissioner to enter into reciprocal agreements with other States for the assignment and collection of wage claims.

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5/ Alaska, Arkansas, California, Connecticut, Delaware, District of Columbia, Hawaii, Illinois, Indiana, Maryland, Michigan, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Oregon, Pennsylvania, Puerto Rico, Rhode Island, Utah, Virginia, Washington, and Wisconsin.

6/ The other four are California, Hawaii, Nevada, and Oregon.

Wage garnishment. New York became the first State to prohibit the dismissal or layoff of an employee because his pay has been garnisheed. Five other States amended their wage garnishment laws in regard to the permitted exemption. Rhode Island and Vermont raised the amount of wages exempt from garnishment. Kentucky changed the basis for figuring the exemption and made the law applicable to all workers instead of only to family heads. Mississippi extended protection to employees on salaries and commissions instead of only to wage earners, and made the exemption the same for single persons as for heads of families. Alaska added the amount of court-ordered payments for child support to the standard exemption.

Prevailing wages. Three States made significant revisions in their laws requiring payment of prevailing wages on State projects. New York placed a 5-year ban on the acceptance of a bid from or an award of a contract to employers who have failed to pay the prevailing wages in two instances within any 6-year period. New Jersey extended coverage of its law to municipalities with a population of 25,000 instead of 45,000, and Wisconsin changed the coverage of its law from contracts of \$1,000 or more to those of \$2,500 or more when only one trade or occupation is required to complete the contract, or to \$25,000 or more when more than one trade is required.

Equal Pay. Laws providing for equal pay were enacted for the first time in Georgia, Kentucky, Maryland, and South Dakota. By now 29 States 7/ have enacted such laws, and five other jurisdictions 8/ prohibit discrimination in the rate of pay because of sex in their fair employment practice law only.

Other wage laws. Delaware became the 20th State 9/ to enact a law prohibiting the business of debt pooling; 11 other States 10/ regulate such business. Alaska amended the definition of the term "wages" as used in the minimum wage law, an equal pay law, and the wage payment and wage collection law, to include not only the basic hourly rate of pay, but also all other compensation including contributions made by an employer for fringe benefits.

7/ Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Georgia, Hawaii, Illinois, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, Montana, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Washington, West Virginia, and Wyoming.

8/ District of Columbia, Nebraska, Utah, Vermont, and Wisconsin.

9/ Delaware, Florida, Georgia, Kansas, Maine, Massachusetts, Missouri, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Texas, Virginia, West Virginia, and Wyoming.

10/ California, Colorado, Connecticut, Hawaii, Idaho, Illinois, Michigan, Minnesota, Oregon, Utah, and Wisconsin.



Workmen's Compensation.--Maximum weekly benefits for some or all types of disability or for death were increased in seven States: Alaska, Nevada, New Jersey, Rhode Island, South Carolina, South Dakota, and Virginia. For example, temporary total disability benefits were increased from \$38 to \$42 in South Dakota; from \$35 to \$50 in South Carolina; and from \$39 to \$45 in Virginia. Nevada increased the amount of wages upon which temporary total benefits are computed, thus increasing such benefits from a range of \$48.75-\$67.50 to \$52.50-\$72.69. New York deleted the former maximum of \$6,500 payable for temporary total disability, thus providing unlimited benefits for this type of disability.

New Jersey changed its system of computing benefits for total disability; the maximum will now be  $66\frac{2}{3}$  percent of the average weekly wages earned by all employees covered by the unemployment compensation law. The amount is to be computed by the Commissioner of Labor and Industry on or before September 1 of each year. This State raised death benefits by providing for computing such compensation on the basis of 50 percent, rather than 35 percent, of wages for one dependent, increasing such amount by 5 percent for each dependent up to 70 percent for five or more dependents, rather than 60 percent for six or more as before. The maximum weekly benefits in death cases will be determined by the same formula as that for total disability.

Four States--Hawaii, South Carolina, South Dakota, and Virginia--increased the total compensation for disability or death. These increases for disability amounted to \$500 in South Dakota, \$2,400 in Virginia, and \$2,500 in South Carolina. And for death they amounted to \$10,100 in Hawaii, and \$1,800 in Virginia with an increased amount for a wholly dependent spouse or child.

Various States extended coverage of their laws. For instance, New York extended its law to school aids and volunteer workers employed by the State; Virginia to clerks and other employees of juvenile and domestic relations courts; South Dakota to game wardens; Kentucky to National Guard members while on active service; Massachusetts to certain elected or appointed officials of a city or town at the discretion of the city government, and West Virginia to employees of airport authorities in certain counties.

Three amendments specifically applied to coverage of agricultural workers. Louisiana removed the exemption from the law for agricultural workers who are transported to and from work. New York extended coverage to employees of farmers whose cash payroll aggregate \$1,200 or more during the preceding calendar year; previously, only specified farm employments were covered. Employees recruited by a farm labor contractor are to be considered employees of the owner or lessee of a farm for purposes of workmen's compensation on and after April 1, 1967. On the other hand, Michigan changed the effective date from May 1, 1966 to May 1, 1967 for coverage of certain agricultural workers.

Time limits for filing claims were liberalized in a few States. For instance, New Jersey and New York each changed the time limit for filing claims for disability due to radiation diseases, by basing the time limit on the date that the employee knew or should have known the nature of the disease and its relation to his employment; 1 year after this date in New Jersey and 90 days thereafter in New York. And for filing claims for disability due to an occupational disease, Virginia made its time limit applicable from the date of the first communication to the employee of the diagnosis instead of the first date of incapacity for work.

Employers in New Jersey were prohibited from discharging or discriminating against an employee who files a claim or testifies in a workmen's compensation proceeding.

A new fund, the Uninsured Employer's Fund, was created in New Jersey to provide for the payment of awards against uninsured defaulting employers. Increased contributions by employers or insurance carriers were required for the second-injury funds in Alaska, New Jersey, and Rhode Island.

Federal Legislation.--Of major importance among the Federal acts passed in the labor or related fields were amendments to the Fair Labor Standards Act. The minimum wage rate under that act was increased from \$1.25 an hour to \$1.40, to go later to \$1.60, for those already covered by the Act. The coverage was extended to certain farmworkers; employees in hospitals, laundries, construction, additional retail employees; and certain employees in schools and various other industries. For all those newly covered a minimum rate was set at \$1.00 an hour, to rise eventually to \$1.30 for farmworkers and to \$1.60 for all others. Other changes included the provision for handicapped workers to be paid wages commensurate with those paid the nonhandicapped. The Secretary of Labor was directed to make a study of overtime work.

Federal safety requirements under the Coal Mine Safety Act were made applicable also to previously exempt small mines. Another measure authorized the establishment of safety and health standards in metal and nonmetallic mines.

The Railway Labor Act was amended to establish special boards of adjustment to resolve minor disputes arising under collective bargaining agreements; the Railroad Retirement Act was amended to provide a supplemental pension system for employees with long service.

Much emphasis was placed on new training programs or expanded or extended current programs. For instance, amendments to the Manpower Development and Training Act provided for special counseling and referral of persons 45 years of age or older; physical examinations or prostheses to trainees to permit participation in training; and part-time training to upgrade skills of employed persons.

Training allowances were provided for the part-time training, and were liberalized for other training permitted by the act. Authorization was given for an experimental program of training for persons in correctional institutions in order to obtain employment upon release.

Comprehensive amendments were made to the Economic Opportunity Act liberalizing most provisions under the act, including those relating to the Job Corps and the Neighborhood Youth Corps. The amendments provided for programs directed to the solution of critical problems in areas having large concentrations of low-income persons, and a new adult work-training and employment program was added.

The Higher Education Facilities Act of 1963 was extended for 3 years with appropriations authorized for grants and loans for the construction of undergraduate and graduate academic facilities. One requirement for such grants or loans was that the facilities must be useable by handicapped persons. An International Education Act was passed authorizing grants to institutions of higher education for graduate and undergraduate training in international studies. A model secondary school for the deaf was authorized. The Public Health Services Act was amended to provide new and improved health services including new services for the mentally retarded and for handicapped children. Veterans' education benefits, job counseling and job placement, were provided for those on active military duty after January 31, 1955.

Appropriations were also made for a study of the administration of the various training programs partially or wholly financed by Federal funds.

A number of acts provided for construction projects; Davis-Bacon Standards were made applicable to such construction.

# ALASKA

(Regular Session: 1/24/66--4/12/66)

## CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 98 (Approved 4/14/66; effective 7/1/66). Amends the compulsory school attendance law. Deletes the exemption for children who have completed the 8th or the highest grade in the district, and ~~now~~ requires attendance until the completion of the 12th grade.

## OCCUPATIONAL SAFETY AND HEALTH

HCR 50 (Adopted 4/6/66). Requests the Commissioner of Labor to update and improve weight lifting provisions for women in the general safety code.

## WAGE PAYMENT AND WAGE COLLECTION

Ch. 114 (Approved 4/16/66; effective 4/17/66). Authorizes the Commissioner of Labor to enter into reciprocal agreements with agencies of any State for collection of claims or judgments for wages. Authorizes actions in the courts of the agreeing States.

Ch. 115. See Wages--Miscellaneous.

## WAGES--EQUAL PAY

Ch. 115. See Wages--Miscellaneous.

## WAGES--WAGE GARNISHMENT

Ch. 31 (Approved 3/18/66). Amends the garnishment law to make the exemptions applicable to income due or received from any source within 30 days immediately preceding the levy, rather than to earnings for personal services. In addition to the standard exemptions, exempts the amount which the judgment debtor has been ordered to pay as child support payments.

## WAGES AND HOURS--ALL WORKERS

Ch. 115. See Wages--Miscellaneous.

## WAGES--MISCELLANEOUS

Ch. 115 (Approved 4/16/66). Defines "wages" as used in the minimum wage, wage payment and wage collection, and one of the two equal pay laws to mean not only the basic hourly rate, but also all other compensation including contributions of an employer to a trust fund or under an enforceable agreement to provide medical care, compensation for death or injury, or other fringe benefits.



## Alaska

### WORKMEN'S COMPENSATION

Ch. 99 (Approved 4/4/66; effective 7/1/66). Raises the minimum benefits for a widow or widower to \$45 a week, plus \$15 for one child or \$30 for two or more children. Provides that the maximum death benefits shall be paid in the same amount as temporary total disability benefits; thus raises the maximum to \$100 a week, with an aggregate maximum of \$20,000.

Provides that benefits shall be paid for surviving children of the deceased until they are 19, rather than 18, years of age.

Requires death benefits to be paid to a widow or a widower who is incapable of self-support because of mental or physical disability or who is otherwise unemployable, until such condition changes or for life.

Deletes the provision that a lump-sum death settlement shall be approved only when the deceased leaves a surviving widow or dependent husband and more than 5 years have elapsed since the date of the employee's death. Provides that a widow or widower shall be paid \$10,000 upon remarriage, rather than 2 years' benefits as before, but limits the amount to \$20,000 in the aggregate.

Requires the employer or insurance carrier to pay into the second-injury fund a lump sum of 5, rather than 2 percent of the total compensation due an employee for permanent partial disability. Increases from \$1,500 to \$5,000 the amount of employer's payment into the second-injury fund on the death of an unmarried employee with no dependents.

Ch. 113 (Approved 4/16/66; effective 7/1/66). Raises from \$81 to \$100 the maximum weekly wages used in computing compensation for permanent total disability, thus raising such benefits from \$52.65 to \$65; and raises minimum weekly benefits from \$18 to \$25 or average weekly wage if less.

## ARIZONA

(Regular Session: 1/10/66--4/23/66)

### HOURS OF WORK

Ch. 17 (Approved 3/18/66; effective 7/23/66). Amends the maximum hours law to permit females employed in a manufacturing or an industrial concern to work up to 10 hours a day instead of 8, in an emergency; and requires payment of at least time and one-half the employee's regular rate for hours beyond 8 a day. (Retains the limitation of 48 hours a week.)

### WAGE PAYMENT AND WAGE COLLECTION

Ch. 43 (Approved 3/29/66; effective 7/23/66). Raises from \$700 to \$2,000 the maximum earnings of a deceased person which may be paid to the surviving spouse without letters of administration.

## CALIFORNIA

(Regular Session: 2/7/66--4/4/66)

### OCCUPATIONAL SAFETY AND HEALTH

Ch. 139 (Approved 6/30/66; effective 10/6/66). Amends the law that sets safety standards for air pollution inside certain workplaces to make it applicable to "portable and mobile internal combustion engines" instead of to "unregistered motor vehicles."

SCR 36-X (Adopted 6/23/66). Requests the Division of Industrial Safety to hold public hearings to consider adopting standards for atmospheric pollution in places of employment equivalent to the standards established by the Federal Government.

## DELAWARE

(Regular Session: 2/1/66--11/8/66)

### CHILD LABOR AND SCHOOL ATTENDANCE

S. 250 (Approved and effective 5/20/66). Amends the alcoholic liquors law. Permits employment of minors 18 years of age or older in restaurants serving alcoholic liquors, provided the minor is not engaged in the sale or service of alcoholic liquor. (The minimum age for selling or serving liquors is 21.)

H. 614 (Approved and effective 6/23/66). Amends the child labor law. Reduces from 21 to 18 the minimum age for employment in any room wherein intoxicating liquors are sold or dispensed.

### DEBT POOLING

H. 129 (Approved and effective 5/5/66). Prohibits the business of debt adjusting. Exempts "debt adjusting incurred incidentally in the lawful practice of law." Exempts nonprofit or charitable organizations, even though they may charge a nominal fee as reimbursement for expenses of the debt adjustment services.

### INDUSTRIAL RELATIONS

S. 264 (Approved and effective 6/2/66). Exempts any act arising out of a labor dispute from the law prohibiting loitering by any person or group upon any street or way open to the public.

H. 487 (Approved and effective 6/2/66). Prohibits the use of a polygraph, lie-detector, or similar test as a condition of employment. Specifically applies to the State and its political subdivisions. Exempts tests administered by law enforcement agencies in performance of official duties.

OCCUPATIONAL SAFETY AND HEALTH

S. 318 (Approved and effective 6/21/66). Requires every person participating in certain school courses requiring specified hazardous substances, equipment, or processes to wear eye-protective devices.

Requires the State Department of Public Instruction to circulate to each school a manual of instructions and recommendations for guidance in implementing such eye-safety provisions.

H. 44 (Approved and effective 7/21/66). Provides for entrance of Delaware into the Southern Interstate Nuclear Compact. (Completes the membership of the 17 specified States eligible to join.)

TRAINING AND RETRAINING

H. 529 (Approved and effective 6/9/66). Creates the Delaware Institute of Technology to operate public institutions of higher learning for persons who have graduated from or are unable to attend high school. Establishes a seven-member Board of Trustees, appointed by the Governor with the consent of the Senate. Among other things, authorizes the Board to determine the educational programs, and to accept grants or contributions from any government agency. Requires the Board to report to the Governor and General Assembly before January 3, 1967, its progress and its recommendations for the establishment of institutions.

WORKMEN'S COMPENSATION

S. 354 (Approved and effective 7/21/66). Raises from \$500 to \$2,250 the maximum attorney's fee which may be awarded to compensation claimants, but this limitation does not apply to services in appeals.

**DISTRICT OF COLUMBIA**

(89th Congress, Second Session)

HOURS OF WORK

Public Law 89-684 (Approved 10/15/66; effective 2/1/67). Exempts all persons employed as outside salesmen or in a bona fide executive, administrative, or professional capacity from the law setting a maximum 8-hour day, 6-day week, 48-hour week, and meal period requirements for females employed in such establishments as manufacturing, mercantile, laundry, hotel, or restaurant. Deletes recordkeeping on hours, but retains such requirements for wages paid.

## District of Columbia

### WAGES AND HOURS--ALL WORKERS

Public Law 89-684 (Approved 10/15/66; effective 2/1/67). Amends the District of Columbia minimum wage law to provide a statutory rate and to make the law applicable to men, women, and minors, rather than to women and minors only.

Sets a minimum rate of \$1.25 an hour effective February 1, 1967; \$1.40, February 1, 1968; and \$1.60, February 1, 1969. Provides overtime pay of at least time and a half the employee's regular rate for work beyond 42 hours a week, beginning 6 months after the approval date, and beyond 40 a week, 6 months later.

Makes certain exemptions, including domestic workers, from the entire law; employees in outside sales and home delivery of newspapers from the wage and overtime provisions only; certain employees employed by retail automobile dealers, carwash businesses, parking lots and garages, and retail and service establishments from the overtime requirements only.

Authorizes the Board of Commissioners of the District of Columbia to administer the law, but permits them to delegate any function except the making and adoption of regulations. Gives them the authority to modify existing wage orders to apply to men, and, except for the Hotel, Restaurant, and Allied Occupations Order, to incorporate into these orders the provisions of this act; and to issue one or more new orders where no wage order exists, with or without reference to a tripartite advisory committee. Specifies that such new orders may include unrelated occupations.

Retains the rates in the existing Hotel, Restaurant, and Allied Occupations Order until August 1, 1967, when the rate goes to \$1.25 an hour, then to \$1.40 a year later, and finally to \$1.60 by 1969. Requires overtime pay after 40 hours a week at the rate in the existing order until August 14, 1968; thereafter, at the overtime rate set by the Commissioners.

Permits the Commissioners to revise any wage order after it has been in effect for 1 year if they believe the wages are insufficient. Authorizes them to convene a tripartite ad hoc advisory committee to make recommendations for minimum wages not less than the statutory rate, allowances for gratuities, board, lodging, or other facilities or services.

Requires the employer to furnish each employee with an itemized statement with each payment of wages.

## GEORGIA

(Regular Session: 1/10/66--2/18/66)

### INDUSTRIAL RELATIONS

H. Res. 237 (Adopted 2/3/66). Urges the Congress of the United States not to repeal section 14(b) of the Labor Management Relations (Taft-Hartley) Act.



## Georgia

### WAGES--EQUAL PAY

Act 581 (Approved and effective 3/18/66). Prohibits any employer of 10 or more employees from paying wages to employees in the same establishment at a rate less than the rate he pays to employees of the opposite sex for equal work on jobs, the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions.

Exempts wages paid pursuant to a seniority system, a merit system, a system which measures earnings by quantity or quality of production, or a differential based on any factor other than sex. Prohibits reducing wage rates to achieve compliance.

Requires posting of the act by employers subject to it.

Makes it unlawful for any person to cause or attempt to cause an employer to discriminate against any employee in violation of the act. Provides for civil action by the employee to collect unpaid wages, to be commenced no later than 1 year after the cause of action occurs, and permits the court to allow costs and a reasonable attorney's fee.

Provides a voluntary arbitration procedure, in the event of dispute between an employer and employee in relation to any matter covered by the act. Allows either party to appeal the arbitration decision to a court of competent jurisdiction within 30 days from its publication.

### WORKMEN'S COMPENSATION

H.Res. 384 (Adopted 2/18/66). Creates an interim Workmen's Compensation Study Committee to make a comprehensive study of the workmen's compensation law of Georgia, to recommend needed legislation, and to make a report on or before December 1, 1966.

## HAWAII

(Regular Session: 2/16/66--3/23/66)

### WAGE PAYMENT AND WAGE COLLECTION

Act 17 (Approved and effective 4/5/66). Requires employers of 25 or more employees to pay compensation in an amount equal to the difference between the pay each of his employees receives for service on a jury or a public board and the wages such employee would have received had he not served. (Repeals Act 267, Laws of 1965, which placed this provision in the wage and hour law.)

### WAGES AND HOURS--ALL WORKERS

Act 17. See Wage Payment and Wage Collection.

WORKMEN'S COMPENSATION

H. 306 (Approved and effective 3/28/66). Raises maximum death benefits from \$25,000 to \$35,100.

H. 320 (Approved and effective 3/28/66). Reduces the time limit from 30 to 15 days for hospitals and doctors to file copies of medical reports on an injured employee with the Director of Labor and Industrial Relations and with the employer. Requires the employer to observe the same time limit for sending copies of such reports to the injured employee, the objective being to expedite the processing of the employee's claim. Formerly this report was made available to the worker only upon his request.

KENTUCKY

(Regular Session: 1/4/66--3/18/66)

DISCRIMINATION IN EMPLOYMENT

H. 2 (Approved 1/27/66; effective 7/1/66). A civil rights act. Prohibits discrimination in employment because of race, color, religion, or national origin, by employers, employment agencies, labor organizations, or apprenticeship or training committees. Except where religion or national origin is a bona fide occupational qualification, makes unlawful such practices as refusing to hire; refusing to refer for employment; excluding from union membership; and publishing preferential advertisements.

Exempts employers of less than eight employees, and domestic service. Specifies that it is not unlawful for a religious organization or religious educational institution to hire an individual on the basis of his religion to perform work connected with religious activities.

Designates as the agency to administer the law, the Commission on Human Rights which was created in 1960. Specifies that an aggrieved person, a member of the Commission, or the Attorney General may file a complaint with the Commission. Requires the Commission to investigate the charge, attempt to eliminate unlawful practices by conference, conciliation and persuasion, hold hearings on complaints, and if necessary issue cease-and-desist orders which may require affirmative action, such as hiring, upgrading with or without back pay, or admission to union membership or to training programs. Specifies that such orders are subject to judicial review and enforcement.

Authorizes the Commission to cooperate with the U. S. Equal Employment Opportunity Commission and to accept reimbursement for services rendered to assist the Commission, to cooperate with other Federal, State, and local commissions, and to create advisory agencies.

OCCUPATIONAL SAFETY AND HEALTH

S. 298 (Approved 3/29/66; effective 6/16/66). Establishes the Kentucky Science and Technology Commission and its Advisory Council to replace the former Kentucky Science and Technology Advisory Council and the Advisory Committee on Nuclear Energy.

Authorizes the new Commission and Council to coordinate studies conducted, recommendations, and proposals with like activities of other States and with the South as a region, and with the policies and regulations of the U. S. Atomic Energy Commission.

Authorizes the Commission, in addition to taking on the duties of the former Council, to provide scholarships and graduate fellowships in nuclear, mathematical, medical, biological, engineering, and other sciences. Requires the Commission to maintain a continuing review and study of policies and programs of all government agencies and private enterprise, and to enlist the cooperation of State departments, commissions, agencies, and boards.

TIME OFF FOR VOTING

H. 188 (Law without approval 3/29/66; effective 6/16/66). Among revisions of numerous code sections, deletes provision prohibiting deduction of wages for time off to vote which was declared unconstitutional in 1947. (Ill. Central R.R. Co. v. Commonwealth, 204 S.W. 2d 973.)

WAGES--EQUAL PAY

S. 207 (Approved 3/24/66; effective 6/16/66). Enacts an equal pay law, prohibiting employers of eight or more persons from discriminating in payment of wages solely on the basis of sex. Prohibits reduction of wages to comply with the act. Makes certain exceptions, including established seniority or merit differentials; and, under certain circumstances, employers subject to the Fair Labor Standards Act.

Authorizes the Commissioner of Labor to enforce the act and to try to eliminate unlawful pay practices by informal conferences. Permits civil action by employees to recover unpaid wages; reasonable attorney's fees; and, for willful violation, up to double the unpaid wages in liquidated damages. Permits the Commissioner to bring legal action, within 6 months, on behalf of the employee, at his request.

WAGES--WAGE GARNISHMENT

H. 291 (Approved 3/24/66; effective 6/16/66). Revises the personal property exemptions from seizure for debt. Exempts 75 percent of net wages, salary, or other earnings (after deductions for taxes, union dues, medical insurance, and retirement programs),

## Kentucky

except that 50 percent is exempt if the debt is for necessities, defined as food, clothing, medical needs, rent, and public utilities. (The exemption was 90 percent of earnings up to a maximum of \$67.50 a month, and applied only to a person with a family.)

### WAGES AND HOURS--ALL WORKERS

H. 316 (Approved 3/24/66; effective 6/16/66). Makes the minimum wage law (which sets rates by wage board procedure only) applicable to men, rather than to women and minors only.

### WORKMEN'S COMPENSATION

S. 240 (Approved 3/23/66; effective 6/16/66). Brings members of the Kentucky National Guard under the provisions of the workmen's compensation law and authorizes the Department of Military Affairs to purchase additional and extended compensation insurance for such employees. Specifies that the maximum limitation on benefits payable for permanent total disability or death shall not apply. Deletes provisions entitling members to full pay plus expenses for full care, hospitalization, and medical attention during incapacity.

## LOUISIANA

(Regular Session: 5/9/66--7/7/66)

(First Special Session: 11/26/66--12/12/66)

### AGRICULTURAL WORKERS

Act 86. See Workmen's Compensation.

### CHILD LABOR AND SCHOOL ATTENDANCE

Act 307 (Approved 7/15/66). Prohibits the employment of girls under 17, rather than under 18, before 6 a.m. or after 7 p.m.; retains these nightwork prohibitions for boys under 16. Permits girls 17 and over attending school to work until 10 p.m. Retains the nightwork prohibition between 10 p.m. and 6 a.m. for boys of 16, but drops it for boys of 17. Makes the 44-hour week applicable to minors under 17 rather than under 18.

### INDUSTRIAL RELATIONS

Act 419 (Approved 7/15/66; effective 7/27/66). Specifies that the State and any board, agency, or parish may check off union dues from the wages of any public employee upon written authority of the employee. Permits the employing authority to elect whether



or not to make such deductions, and authorizes the employer to deduct postage and such other expenses incurred in such collection and remittance to a labor organization.

#### OCCUPATIONAL SAFETY AND HEALTH

Act 75 (Approved 7/2/66; effective 7/27/66). Requires that students enrolled in certain classes shall be furnished and shall wear eye-protective devices when using dangerous equipment.

#### VETERANS' REEMPLOYMENT RIGHTS

Act 55 (Approved 7/2/66; effective 7/27/66). Provides reemployment rights for permanent employees who left public or private employment to enter military service. Requires reinstatement to the same or a like position, without loss of seniority and at no less compensation than they were receiving when they left to enter the service, if certain conditions are met.

Makes provision for employment of ex-servicemen who are no longer able to perform the job held prior to entering the service because of disability sustained during such service.

Requires the Commissioner of the State Department of Labor or the State Department of Civil Service to render aid in the reinstatement of persons to their former positions.

#### WAGE PAYMENT AND WAGE COLLECTION

Act 536 (Approved 7/15/66; effective 7/27/66). Provides that fringe benefits considered as wages by the Secretary of Labor in determining prevailing wage rates shall be considered and treated as wages due by employers and shall be collectible in the same manner as ordinary wages.

Act 541 (Approved 7/15/66; effective 7/27/66). Makes publishers of periodicals and magazines liable for payment of wages or commissions to door-to-door salesmen engaged to sell subscriptions, upon proof that any distributor, wholesaler, or local agent has failed to pay the wages or commissions due such salesmen.

#### WAGES AND HOURS--ALL WORKERS

S.Con.Res. 15-X (Adopted 12/7/66). A resolution, requesting the Commissioner of the Department of Public Welfare to consider the possibility of supplementing the vendor payment to nursing homes rendering service to welfare recipients, so that such homes may pay to nonsupervisory employees the minimum wage required by the Fair Labor Standards Act.

## Louisiana

### WORKMEN'S COMPENSATION

Act 86 (Approved 6/29/66; effective 7/27/66). Eliminates the exclusion from the workmen's compensation act of agricultural workers being transported to and from work, thereby extending coverage to such workers.

Act 165 (Approved 6/26/66; effective 7/27/66). Specifies that full pay drawn by a fireman during sickness or incapacity shall be decreased by the amount of workmen's compensation benefits actually received by him.

## MAINE

(First Special Session: 1/17/66--2/9/66)

### AGRICULTURAL WORKERS

Ch. 489. See Workmen's Compensation.

### OCCUPATIONAL SAFETY AND HEALTH

S. 721-X (Adopted 1/31/66). Creates a five-member Interim Legislative Committee to study the laws relating to licensing of steam engineers and firemen, and the boiler rules and regulations for the purpose of providing safer working conditions. Requires the Committee to report the result of its study with its recommendations to the next legislature.

### WORKMEN'S COMPENSATION

Ch. 489 (Approved and effective 2/1/66). Provides that farmers who take out an employer's liability insurance policy of \$25,000 or more and medical coverage of \$1,000 or more for their employees do not lose common law defenses in cases of an employee's injury or death.

Extends time for filing a petition from 10 years following an accident to 10 years following the date of the latest payment.

Permits reasonable witness costs and attorney fees when either an employee or an employer has instituted proceedings. Previously, such costs and fees were permissible only when an employee instituted proceedings.

Clarifies the definitions of "seasonal farmwork" to include employment which begins after and ends before the planting season or the completion of the harvest season.

## MARYLAND

(Regular Session: 1/19/66--3/29/66)  
(First Special Session: 3/30/66--4/5/66)

### APPRENTICESHIP

Ch. 671 (Approved 5/6/66; effective 6/1/66). Changes the composition of the Apprenticeship Council from seven regular members to six and provides that three each, rather than two each, shall represent employee organizations and employers. Removes the requirement that three members represent the public at large, but permits the Governor to appoint three additional consultants to the Council from the public at large. Removes the State Director of Vocational Education from ex-officio status, and leaves only the Commissioner of Labor in this category. Provides that the ex-officio member may vote only in case of a tie.

### CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 406 (Approved 4/29/66; effective 7/1/67). Makes the compulsory school attendance provisions applicable to mentally and physically handicapped children between 7 and 16. Requires that special instruction be provided. Leaves the attendance or withdrawal of such children to the discretion of the superintendent of schools of a particular county or Baltimore City acting with the advice of the principal and supervisor of special education.

Ch. 513 (Approved 5/6/66; effective 6/1/66). Raises from 16 to 18 the minimum age for employment of minors in a theater devoted exclusively to the showing of motion pictures. Newly sets a minimum age of 18 for employment of minors in theaters devoted exclusively to specified presentations by amateur or professional groups.

S.J. Res. 23 (Approved 5/6/66). Authorizes the Governor to appoint a committee to study, report, and suggest possible legislation to deal with the school dropout problem, including recommendations on increasing the mandatory school age. Requires a report to be made to the Governor and General Assembly before the convening of the 1967 legislature.

### INDUSTRIAL RELATIONS

Ch. 724 (Approved 5/6/66; effective 6/1/66). Prohibits the use of polygraph, lie-detector, or similar tests or examinations as a condition of employment. Specifically exempts any agency of the State or local government.

### OCCUPATIONAL SAFETY AND HEALTH

Ch. 188 (Approved 4/14/66; effective 6/1/66). Creates an Advisory Commission on Atomic Energy composed of 11 members representing various fields, including labor, to advise the Governor and State government concerning matters arising from the peaceful application of atomic energy.

## Maryland

Ch. 560 (Approved 5/6/66; effective 7/1/66). Requires the Commissioner of Labor and Industry to appoint at least three additional inspectors to enforce safety codes relative to amusement rides or devices and structures at carnivals, fairs, amusement parks, and related areas. Also requires these inspectors to enforce safety codes for passenger and freight elevators and workmen's and materials hoists on construction projects.

Ch. 648 (Approved 5/6/66; effective 6/1/66). Authorizes the Commissioner of Labor and Industry to deputize any properly qualified county or municipal employee to act as his agent in the inspection of excavation work being performed within the deputy's jurisdiction. Extends deputization to include qualified employees of the Washington Suburban Sanitary Commission or other similar authorities.

### WAGE PAYMENT AND WAGE COLLECTION

Ch. 686 (Approved 5/6/66; effective 7/1/66). A wage payment and wage collection law. Requires all employers "engaged in the operation of any business establishment" to pay wages in lawful money at least every 2 weeks or semimonthly, and on or before the next regular payday if employment is terminated. Specifically exempts executive, administrative, and professional employees. Prohibits the employer from withholding wages without the written consent of the employee.

Grants the Commissioner of Labor and Industry authority to sue for and collect unpaid wages.

(Retains the wage payment law which requires at least a bi-weekly or semimonthly payday for clerical or manual employees of every corporation or association in the business of mining, manufacturing, operating electric railroads, street railway, telephone, telegraph, or express company.)

### WAGES--EQUAL PAY

Ch. 568 (Approved 5/6/66; effective 6/1/66). Prohibits all employers in any lawful business, industry, trade, or profession from paying rates in any occupation to employees of one sex at a rate less than that paid the opposite sex for work of comparable character or on the same operations, business, or type of work in the same establishment. Excepts a variation in rate based upon seniority or merit increase systems which do not discriminate on the basis of sex, or on jobs requiring different skill or ability, different duties or services performed regularly, or work at different times of day. Excludes employees covered by the Federal Equal Pay Act of 1963. Prohibits reducing wages to achieve compliance.

Authorizes the Commissioner of Labor and Industry to try to eliminate unlawful pay practices by informal conference, conciliation and persuasion, and to supervise the payment of wages due.

Makes employers who violate the act liable for wages due, and an additional equal amount as liquidated damages. Permits action to be brought by one or more employees or the Commissioner of Labor and Industry in behalf of the employees.



## Maryland

Authorizes the Attorney General to prosecute all civil cases referred to him by the Commissioner. Specifies that action must be brought within 1 year, and agreement to work for less is no bar.

Provides that, when a bona fide collective bargaining agreement is in effect at least 30 days prior to enactment, the act takes effect upon its termination or 2 years from the date of enactment, whichever occurs first.

### WAGES AND HOURS--ALL WORKERS

The City Ordinance No. 739 (Approved and effective 2/21/66). Amends the Baltimore City Ordinance of 1964, which set a minimum wage of \$1 an hour for persons employed in Baltimore City, with certain exceptions, to apply to an employer employing seven or more, rather than 11 or more, employees. Deletes the former exemption for persons employed in hospitals, nursing and convalescent homes, and ambulance drivers, and for persons employed in theaters. Limits the exemption for tipped employees in specified industries to those who receive "substantial" gratuities.

Authorizes the Commissioner to file complaints on his own initiative, and provides that he may not be compelled to disclose the identity of the complainant.

### WORKMEN'S COMPENSATION

Ch. 298 (Approved 4/29/66; effective 6/1/66). Provides that the Workmen's Compensation Commission shall retain jurisdiction over a claim, pending appeal, and may issue a supplemental order requiring the employer to furnish additional medical treatment to an injured employee. Provides that the order shall be subject to review.

Ch. 316 (Approved 4/29/66; effective 6/1/66). Provides that any volunteer fire company in Carroll County may elect to have all its members and employees considered as workmen for wages under the workmen's compensation law. Formerly the law applied only to paid members and employees. Deletes the provision requiring the fire company so electing to receive approval of the County Commissioners.

## MASSACHUSETTS

(Regular Session: 1/5/66--9/7/66)

(First Special Session: 12/5/66--12/28/66)

### DISCRIMINATION IN EMPLOYMENT

Ch. 361 (Approved 6/9/66). Permits employers, employment agencies, and labor organizations to keep records relating to race, color, or national origin as required by the State Commission Against Discrimination or under a Presidential order, to show

## Massachusetts

compliance with the antidiscrimination law or order. Applies only to employers or labor organization with 75 or more employees or members until June 30, 1966; 50 or more until June 30, 1967; 25 or more thereafter.

Ch. 405. See Older Workers.

### HOURS OF WORK

Ch. 183 (Approved 4/21/66). Exempts from the law setting a 9-hour day, 48-hour week for women, those in a professional, executive, or administrative capacity, as determined by the Commissioner of the Department of Labor and Industries in addition to those in a supervisory capacity as formerly.

### INDUSTRIAL RELATIONS

Ch. 156 (Approved 4/12/66). Grants authority to municipal police to engage in collective bargaining with a city or town through representatives of their own choosing. Formerly police were exempted from the definition of "employee" of a municipal employer.

H. 2595 (Adopted 4/11/66).

CCH S-1 (Adopted 2/7/66). Urges the U. S. Congress to repeal section 14(b) of the Labor-Management Relations (Taft-Hartley) Act.

### OCCUPATIONAL SAFETY AND HEALTH

Ch. 21 (Approved 3/4/66). Applies the requirement for eye-protective devices to any school, rather than public schools only.

Ch. 157 (Approved 4/12/66). Requires inspectors of elevators to file complete written reports of all changes and defects in equipment, rather than just inspection results as formerly.

### OLDER WORKERS

Ch. 405 (Approved 6/24/66). Makes the law prohibiting discrimination in employment because of age applicable to persons between 40 and 65 years of age instead of those 45 to 65.

### PRIVATE EMPLOYMENT AGENCIES

Ch. 729 (Approved 9/12/66). Extends coverage of the law applicable to the interstate recruitment of domestic household workers to general private employment agencies. Designates an agency recruiting domestic household workers as a "recruiting domestic employment agency," and those placing other workers as an "employment agency."

## Massachusetts

Retains the employment agency law administered by local authorities. Places administration of the new law in the Department of Labor and Industries. Exempts agencies operated by labor organizations, religious, charitable, nonprofit organizations, or accredited educational institutions, and agencies operated by Federal, State, or municipal governments.

Prohibits registration fees. Requires agencies, other than one recruiting domestic workers, to furnish the applicant with a copy of the contract entered into, stating the fee to be paid, based upon the original wage at which the applicant was hired.

Requires agencies to file the schedule of fees and a sample contract with the Commissioner. Provides that the fee for temporary placement shall not exceed 10 percent of the gross weekly wages or fraction thereof, but not more than the fee for permanent employment. Defines temporary employment as less than 10 weeks, and permanent employment as 10 weeks or more. Prohibits agencies from charging fees in excess of the schedule. Provides that agencies shall not place an applicant in a job that pays less than the minimum wage or applicable collective bargaining rate, whichever is greater. Requires the return of fees under certain conditions.

Increases the annual license fee from \$50 to \$60, and requires a license for each location where an agency is conducted.

### WAGE PAYMENT AND WAGE COLLECTION

Ch. 319 (Approved 5/31/66). Includes in the definition of wages any holiday or vacation payments due an employee under an oral or written agreement.

Ch. 350 (Approved 6/1/66). Imposes a penalty of up to \$100 and authorizes the court to require restitution for violation of the law that prohibits an employer or any other person from soliciting or accepting as a condition of employment any payment from tips received by an employee engaged in serving food or beverages.

### WAGES--EQUAL PAY

Ch. 129 (Approved 4/4/66). Provides that male or female employees having equal preparation and training and who are in the same grades and doing the same types of work in classified civil service in any city or town which accepts this section, shall receive equal pay.

### WAGES--PREVAILING WAGES

Ch. 481 (Approved 8/8/66). Authorizes the commissioner of the metropolitan district, as well as the commissioner of public works as formerly, to determine whether a prospective bidder is qualified to perform certain work for which bids are invited.

## Massachusetts

### WAGES AND HOURS--ALL WORKERS

Ch. 679 (Approved 9/5/66). Raises the statutory minimum wage from \$1.35 to \$1.40 an hour, effective February 1, 1967, and provides for a further increase to \$1.60 an hour effective February 1, 1968. Makes the rate of 93 cents an hour for "service employees who regularly receive tips" effective February 1, 1967, rather than September 5, 1967.

Provides that the rates in existing wage orders, with certain exceptions, shall be automatically raised to these levels on the appropriate dates.

### WORKMEN'S COMPENSATION

Ch. 401 (Approved 6/24/66). Authorizes cities and town having the power of taxation to cover certain elected and appointed officers under the workmen's compensation law. Exempts the mayor, city councilors, selectmen, and members of the police or fire force.

Ch. 578 (Approved 8/29/66). Reduces the waiting period from 7 to 5 days. Provides that if the incapacity extends 6 days or more, rather than 8 or more, compensation shall be paid from date of injury.

Ch. 584 (Approved 8/31/66). Raises weekly benefits for schedule injuries from \$20 to \$25. Provides, as before, that such benefits are in addition to all other compensation.

## MICHIGAN

(Regular Session: 1/12/66--12/9/66)

### AGRICULTURAL WORKERS

Act 16. See Migratory Workers.

Act 27. See Workmen's Compensation.

Act 234. See Private Employment Agencies.

### CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 41 (Approved and effective 5/26/66). Lowers from 19 to 18 the minimum age for a telegraph operator handling train orders.

### DISCRIMINATION IN EMPLOYMENT

Act 349 (Approved and effective 12/21/66). Amends the fair employment practice act to prohibit discrimination in employment based on sex.



## Michigan

### HOURS OF WORK

Ch. 34 (Approved and effective 5/26/66). Reduces from 10 to 8 the consecutive number of hours of rest between shifts required of drivers of motor trucks or tractors. (The amendment thereby conforms to Interstate Commerce Commission regulations with respect to off-duty hours.)

### /INDUSTRIAL RELATIONS

Act 45 (Approved 6/2/66). Provides that any employer who has promised in writing to make payments for fringe benefits and who is convicted for failure to make such payments shall not be relieved of liability for moneys under such an agreement or contract.

### MIGRATORY WORKERS

Act 16 (Approved and effective 7/1/66). Authorizes the State Department of Labor to construct or lease and to provide custodial administration for at least two supervised overnight rest camps for migrant agricultural workers: one in the southwest and one in the southeast part of the State. Establishes standards for these camps, and requires them to be open from May 1 to October 31 of each year.

Specifies that the authorization for such camps does not include any expenditure of funds in excess of those obtainable from the Federal Government or from nongovernmental sources, or from such other funds as may be appropriated by the State legislature expressly for this purpose, and that the acceptance of such funds does not obligate the State to continue these programs after the Federal and other funds are no longer available.

Act 190 (Approved 7/1/66). Transfers from the Department of Agriculture to the Department of Commerce authority to make safety regulations for transportation of migrant workers.

### OCCUPATIONAL SAFETY AND HEALTH

Ch. 33 (Approved 5/26/66). Requires the Construction Safety Commission to issue rules and regulations for safe working conditions in addition to such rules for the inspection and use of equipment.

### PRIVATE EMPLOYMENT AGENCIES

Act 234 (Approved 7/11/66; effective 7/1/66). An emigrant agent act. Defines an emigrant agent as a person engaged in recruiting, hiring, soliciting, or enticing laborers in the State for farm labor outside the State. Requires an agent to obtain a license from the Director of Labor and post a noncancellable surety bond with him. Authorizes the Director to cancel a license, after a hearing, if the

## Michigan

agent (1) used fraud in obtaining the license or in soliciting farm laborers; (2) is convicted of a felony or an offense involving moral turpitude; or (3) has violated any provision of the law. Requires an agent to make weekly reports to the Director; makes failure to do so cause for suspension or revocation of the license.

### STATE DEPARTMENT OF LABOR

H. Res. 309 (Adopted 5/18/66). Authorizes the Standing Committee on Labor to study, between the 1966 and 1967 sessions of the legislature, the operation of the Department of Labor and to concentrate on the current reorganization of the Department.

### WAGES AND HOURS--ALL WORKERS

Act 191 (Approved 7/1/66). Provides that the Governor in appointing the wage deviation board must do so with the advice and consent of the Senate. Sets maximum per diem for board members.

Act 271 (Approved and effective 7/12/66). Amends the definition of "employer" to make those subject to the law for the remainder of the calendar year whenever they employ four or more workers at any time in that year, rather than four or more at any one time. Deletes the prohibition, effective March 1, 1967, that no employer shall employ "for more than 13 weeks in any 4 consecutive 3-month periods" any employee at less than the minimum rate.

Modifies the exemption for employers subject to the Federal minimum wage law to make it applicable only when the rates set by the Fair Labor Standards Act are higher than the State rate. Adds an exemption for employment in summer camps, not to exceed 4 months.

Reduces the maximum total deduction for tips, meals, and lodging from 40 percent to 25 percent of the hourly wage rate.

Provides that the determination of a scale of piece rates for certain agricultural workers shall be made not later than May 1, 1967, rather than July 31, 1966.

Authorizes the Labor Department to act in behalf of employees seeking recovery of unpaid wages.

### WORKMEN'S COMPENSATION

Act 27 (Approved and effective 4/29/66). Postpones from May 1, 1966, to May 1, 1967, the effective date of coverage of certain agricultural workers. Excludes members of the agricultural employer's family. Drops compulsory coverage for any domestic service workers employed less than 35 hours a week for 13 weeks or more in the preceding 52 weeks. (Formerly, if the employer had fewer than three employees and one worked more than this period, the coverage was compulsory.)

## MISSISSIPPI

(Regular Session: 1/4/66--6/17/66)

### INDUSTRIAL RELATIONS

H. 118 (Approved and effective 2/9/66). Prohibits persons from threatening with bodily harm, intimidating, or coercing other persons from lawfully trading or carrying on a business.

### TRAINING AND RETRAINING

H. 1021 (Approved and effective 5/20/66). Authorizes the Board of Vocational Education, through the Division of Vocational Rehabilitation, to establish and operate a system of workshops for the training and rehabilitation of handicapped persons to maximize their productivity.

### WAGES--WAGE GARNISHMENT

S. 1894 (Approved and effective 6/15/66). Exempts from garnishment 75 percent of wages, salaries, or other compensation of residents of the State, due or to become due. (Formerly was \$100 per month for family heads, \$50 for single persons, and was applicable only to laborers and other wage earners.)

## NEVADA

(Second Special Session: 5/9/66--5/26/66)

### WORKMEN'S COMPENSATION

S. 13-XX (Approved 5/30/66; effective 7/1/66). Deletes the provision that maximum benefits for permanent total disability shall be 65 percent of the average monthly wage, plus 15 percent for each dependent, based on a maximum monthly wage of \$270. Provides now that the monthly benefits for the worker shall be \$188.50, plus \$43.50 for each dependent, but not more than \$261, thus raising from \$37.50 to \$43.50 the weekly benefits for workmen without dependents, and from \$51.92 to \$60.23 the maximum for those with dependents.

Raises from \$325 to \$350 the maximum wages used in determining monthly benefits for temporary total disability, thus increasing from \$45 to \$52.50 the maximum weekly benefits for workmen without dependents, and from \$62.31 to \$72.69 for those with dependents.

Raises from \$110 to \$120 the maximum wages used in determining benefits for permanent partial disability, thus raising the maximum weekly benefits from \$23.08 to \$27.69.

Raises from \$240 to \$265 the maximum wages used in determining monthly benefits for death, thus raising the maximum weekly benefits from \$27.69 to \$30.57 for a widow, and from \$8.31 to \$9.17 for each child until the age of 18.

Raises from \$10,000 to \$12,000 the lump sum that may be paid when permitted by the Industrial Commission.

## NEW JERSEY

(Regular Session: 1/11/66--1/10/67)

### DISCRIMINATION IN EMPLOYMENT

Ch. 254 (Approved and effective 8/26/66). Deletes the numerical exemption from the law against discrimination for employers of less than six persons.

### HOURS OF WORK

Ch. 56 (Approved and effective 6/2/66). Authorizes the labor commissioner under certain conditions to permit women 21 years of age or over to be employed before 7 a.m. or after midnight in any bakery operating on multiple shifts.

### INDUSTRIAL RELATIONS

Ch. 18 (Approved and effective 4/7/66). Amends the Waterfront Commission Act of 1953; similar to New York's Ch. 127, page 164. Authorizes the Waterfront Commission to set a minimum number of nonworking days in a given period to qualify a person for removal from the longshoremen's register, rather than those who either did not work or apply for work during the preceding 6 calendar months.

Specifies that the Commission shall count as worktime guaranteed wages received under a collective bargaining agreement. Authorizes the Commission to close the longshoremen's register for 60 days after April 7, 1966, and thereafter for such periods of time as it sets. Specifies that, after any suspension period, the Commission is authorized to accept or reject applications itself or upon the recommendation of the employer and the union.

Sets up certain standards to be followed in administering the law including (1) encouraging the regularization of the employment of longshoremen, (2) encouraging the mobility and full utilization of the existing work force, (3) eliminating oppressive hiring practices, and (4) considering the effects of technological change and other economic data in this type of work.

Ch. 114 (Approved and effective 6/17/66). Prohibits any employer from requiring an employee to take a lie-detector test as a condition of employment.

### OCCUPATIONAL SAFETY AND HEALTH

Ch. 112 (Approved and effective 6/17/66). Provides that common carriers of passengers or freight or both shall provide and maintain adequate rest and sanitary facilities for the health and comfort of employees. Requires compliance within 6 months from the effective date of the law, except compliance in new constructions and installations shall begin with their use.



## WAGE PAYMENT AND WAGE COLLECTION

Ch. 121 (Approved and effective 6/17/66). In addition to penalties otherwise prescribed by law, makes any employer a disorderly person who fails or refuses to pay wages or fringe benefits agreed to by collective bargaining.

## WAGES--PREVAILING WAGES

Ch. 118 (Approved and effective 6/17/66). Extends coverage under the prevailing wage law by redefining "public body" to mean the State and any of its political subdivisions except municipalities having a population of less than 25,000, rather than 45,000.

## WAGES AND HOURS--ALL WORKERS

Ch. 113 (Approved and effective 6/17/66). Enacts a statutory minimum wage law applicable to all workers. (Retains the wage board law, applicable to women and minors only.) Exempts domestic service, persons under age 18, and outside salesmen from the statutory minimum wage and overtime provisions. (However, wage boards may set rates for these employees.) Exempts hotels from the overtime provision, as well as individuals employed in a bona fide executive, administrative, or professional capacity; on a farm; or in the raising or care of livestock; or by passenger motor bus companies.

Sets minimum hourly rates of \$1.25 an hour effective December 14, 1966; \$1.40, January 1, 1968; \$1.50, January 1, 1969. Requires payment of at least one and one-half times the employee's regular rate for hours worked in excess of 40 a week.

Authorizes Commissioner of Labor and Industry to administer the act; and permits him to allow rates less than the minimum wage in cases of learners, apprentices, and handicapped persons. Authorizes him to take an assignment of a wage claim and any legal action necessary to collect the claim.

Requires all employers to maintain specified records. Does not require records of hours worked by outside salesmen, houseworkers, or buyers of poultry, eggs, cream or milk.

## WORKMEN'S COMPENSATION

Ch. 65 (Approved and effective 6/6/66). Raises from 1 percent to 2 percent of the total compensation paid during the year the amount payable for the subsequent-injury fund by companies writing compensation or employers' liability insurance and by self-insurers.

Ch. 89 (Approved and effective 6/14/66). Specifically includes as medical or surgical services under the law services performed by podiatrist.

New Jersey

Ch. 115 (Approved and effective 6/17/66). Requires that an injured workman who needs hospitalization be provided services at least equal to that provided for patients in a semiprivate room.

Ch. 126 (Approved 6/17/66; effective 3/1/67). Raises the maximum weekly benefits for temporary and permanent total disability from \$45 to 66-2/3 percent of average weekly wages earned by all employees covered by the unemployment compensation law, and raises the weekly minimum from \$10 to \$15. Specifies that maximum compensation shall be computed yearly by the Commissioner of Labor and Industry by September 1 based on average weekly wages of the preceding calendar year and apply to injuries during the following calendar year.

Provides that death benefits be computed on the basis of 50 percent rather than 35 percent of wages for one dependent, and increases by 5 percent for each dependent up to 70 percent for five or more rather than 60 percent for six or more. Increases the burial allowance from \$400 to \$750.

Increases the value of board and lodging from \$8 to \$25 per week when furnished by the employer as part of wages. Specifies that if no record is kept of gratuities received by the employee, the average weekly amount shall be fixed by the compensation judge or the referee, rather than at \$10 a week.

Specifies that the compensation period shall run during the entire period of widowhood, rather than 350 weeks, except that earnings from her employment after 450 weeks shall be deducted from compensation payable thereafter.

Shortens the waiting period so benefits will be paid from the first day if disability lasts beyond 7 days instead of 4 weeks.

Newly provides that claims for radiation poisoning must be filed within 1 year after employee knew or should have known the nature of the disability and its relation to his employment.

Creates the "Uninsured Employer's Fund" to provide for the payment of awards against uninsured defaulting employers. Provides that the Fund shall be established and maintained through assessments against such employers.

Creates a commission to study the workmen's compensation law, directing it to explore, in particular, permanent partial disability benefits and the second-injury fund.

Ch. 157 (Approved and effective 6/18/66). Prohibits an employer from discriminating against an employee because he has claimed or attempted to claim workmen's compensation benefits, or who has testified or is about to testify, in a proceeding under this law. Provides that the employer, rather than his insurance carrier, shall be liable for any penalty for violation of the law.

Ch. 164 (Approved and effective 6/18/66). Prohibits inspection or copying of any records maintained by the Division of Workmen's Compensation if the purpose is to sell or furnish to others reports or abstracts of records except on behalf of an employer with a pending workmen's compensation case.

## NEW YORK

(Regular Session: 1/5/66--7/5/66)

### AGRICULTURAL WORKERS

Ch. 637 (Approved and effective 6/21/66). Amends the vehicle and traffic law to extend from 7 to 30 days the time within which a nonresident seasonal farmworker must obtain a temporary driving permit and to file evidence of financial security.

Ch. 646. See Workmen's Compensation.

### APPRENTICESHIP

Ch. 976. See Wages--Prevailing Wages.

### CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 498 (Approved and effective 6/7/66). Prohibits the employment of minors under 16, rather than 18, in institutions under the jurisdiction of the Department of Mental Hygiene.

Ch. 667 (Approved and effective 6/21/66). Permits girls between 18 and 21 to work in a factory until midnight, rather than 10 p.m., if a permit for such employment has been issued by the Department of Labor and if satisfactory conditions exist, including adequate transportation and safeguards for the health and welfare of the girls, and providing that, if there is a collective bargaining agreement, it permits such employment.

Ch. 975 (Approved 8/2/66; effective 1/1/67). Simplifies provisions for obtaining and using employment certificates for minors under 18. Newly provides that a certificate shall be valid not only for the initial employment, but for subsequent employments as well, and that upon termination of each employment the employer shall return the certificate to the minor.

Sets a minimum age of 18, rather than 16, for adjusting belts to machinery; cleaning, oiling, or wiping machinery; packing paints, dry colors or red or white lead; preparing any composition in which dangerous or poisonous acids are used; and for operating steam boilers. Sets a minimum age of 18 in construction work, exposure to radioactive substances, as a helper on a motor vehicle, and all other employments presently prohibited for minors under 18 by orders issued under the Fair Labor Standards Act.

### DISCRIMINATION IN EMPLOYMENT

Ch. 565 (Approved and effective 6/14/66). Increases the membership of the State Commission on Human Rights from seven to nine members. Provides that five, not three, shall constitute a quorum.

INDUSTRIAL HOMEWORK

Ch. 505 (Approved 6/7/66; effective 7/1/66). Broadens definition of "industrial homemaker" to include a person who manufactures in a home any article to be returned to an employer "or to be delivered, mailed or shipped to others." Excludes from "clerical work," which is exempted from the industrial homework law, "inserting, collating, labeling, nesting, sorting, stamping or similar work."

INDUSTRIAL RELATIONS

Ch. 6 (Approved and effective 2/16/66). Authorizes the New York City Transit Authority and the Manhattan and Bronx Surface Transit Authority to continue in their employment their hourly-rated operating employees in the status they held on December 31, 1965, and to pay them the wage increases contained in the settlement of the transit strike of January 1966. (The legislature specified in its "findings" that this law was necessary because a question had been raised in the courts as to the legal capacity of these authorities to approve the terms of the strike agreement.)

Ch. 127 (Approved 4/1/66; effective 4/7/66). Amends the Waterfront Commission Act in the same manner as the New Jersey companion law was amended. (See New Jersey, Ch. 18, p. 160.)

Ch. 548. See Wage Payment and Wage Collection.

Ch. 685 (Approved 6/21/66; effective 7/1/66). Extends coverage of the State labor relations act to employees who work in connection with hotels or restaurants owned or operated by a charitable, educational, or religious association or corporation, but exempts volunteers or members of a religious order. Defines "hotel" and "restaurant."

Ch. 807 (Approved and effective 7/6/66).

Ch. 808 (Approved and effective 7/6/66). Authorizes the Department of Welfare of the City of New York to continue the employment of workers who absented themselves during specified periods in violation of the provision of the Civil Service Law prohibiting strikes by public employees. Specifies that none of the penalties or conditions for reemployment prescribed by such provision shall be imposed upon the above-mentioned workers.

A. Res. 196 (Adopted 5/10/66). Creates an eight-member Joint Legislative Committee on Industrial and Labor Conditions to study all aspects of industrial and labor problems throughout the State. Requires the Committee to submit its legislative proposals to the Assembly and Senate on or before December 15, 1966, and to report its activities to the legislature on or before March 31, 1967.



MIGRATORY WORKERS

A. Res. 203 (Adopted 5/10/66). Creates a 12-member Joint Legislative Committee on Migrant Labor to study and investigate all aspects of the problems of migratory labor. Requires the Committee to submit any legislative proposals by December 15, 1966, and a report of its activities by March 31, 1967.

OCCUPATIONAL SAFETY AND HEALTH

Ch. 52 (Approved 3/21/66; effective 1/1/67).

Ch. 382 (Approved 5/16/66; effective 1/1/67). Deletes the requirements relating to working in compressed air, leaving the regulation of such working time to the Board of Standards and Appeals.

Ch. 218 (Approved 4/25/66; effective 9/1/66). Amends the provisions requiring students and teachers to wear eye-safety devices while engaged on certain experimental programs to specify that the devices shall be worn at the times and under the conditions prescribed by regulations issued by the Industrial Commissioner. Makes this provision applicable also to visitors to shops and laboratories where such programs are conducted.

Ch. 947. See State Department of Labor.

STATE DEPARTMENT OF LABOR

Ch. 947 (Approved 8/2/66; effective 10/1/66). Revises and updates the labor law provisions governing appeals to the Board of Standards and Appeals and to the courts.

Revises the provisions relating to authority of the Board to grant variations in carrying out the provisions affecting the construction or alterations of buildings, exits therefrom, the installation of fixtures and apparatus, or the safeguarding of machinery, and the prevention of accidents or injury, or of any rule or order of the Board. Authorizes the Board to prescribe rules for petitioning for variations. Permits the Board, upon its own motion, or upon application by the Industrial Commissioner, to make a general variation applicable to all buildings with the same effect as if a variation were granted upon a separate petition.

Permits the Board to amend or terminate variations previously permitted from the State building construction code for specified reasons such as: (1) the conditions of the granted variation were not complied with; (2) public safety is no longer secured; (3) the difficulties prevailing at the time of the granted variation no longer exist; (4) the labor provision or code rule from which the variation was made has been amended, or a new rule adopted; and (5) a finding that other substantial grounds exist warranting such action.

TRAINING AND RETRAINING

Ch. 439 (Approved and effective 5/24/66). Authorizes the Division for Youth, independently or with the Federal Government, to set up job corps camps and to accept for training in anti-poverty programs youths referred by Federal agencies.

Provides that such camps shall consist of residential conservation camps for youths 16 through 21 years of age, and that their training shall include, but not be limited to, vocational and remedial education, work training and any other training that will equip them with the skills and attitudes needed for suitable employment.

Ch. 484 (Approved 6/7/66; effective 4/1/66). The New York State manpower training act. Authorizes the Industrial Commissioner to provide for institutional and on-the-job training courses for unemployed and underemployed persons to help them develop skills useful in the contemporary economy. Permits the Commissioner to pay training, subsistence, and transportation allowances to enrolled persons. Limits the training allowance to not more than \$10 above the average statewide unemployment insurance payment plus \$5 a week for each dependent over two up to a maximum of four. Limits the subsistence allowance to not more than \$5 a day.

Ch. 954 (Approved and effective 8/2/66). Authorizes the Division for Youth to operate nonresidential development and work-training programs for youth under 21, which may include individual and group counseling, remedial and tutorial assistance, recreational and physical fitness sessions, work preparation and training, and other services to advance their moral, physical, mental, and social well-being and to prevent and control juvenile delinquency. Formerly the act established work-training programs only for out-of-school youth who lacked the basic skills and work attitudes necessary for employment. As before, authorizes the Director of the Division to grant allowances to enrollees.

A. Res. 209 (Adopted 5/10/66). Creates the Joint Legislative Committee on the State's Commerce, Economic Development, Tourism and Motor Boats to make a comprehensive study of, among others, the scope of State and local programs to meet the needs for economic growth with special emphasis on opportunities for employment, stability of wages, attractive conditions of work, training of employees in industrial or agricultural skills and trades, and retraining and relocating employees adversely affected by the condition of the local economy. Requires the Committee to submit its legislative proposals to the Senate and the Assembly by December 15, 1966, and make a report of its activities to the legislature by March 31, 1967.

WAGE PAYMENT AND WAGE COLLECTION

Ch. 548 (Approved 6/14/66; effective 10/1/66). Repeals and re-enacts the wage payment and wage collection law to make it apply to any person employed by any employer in any employment, except

government agencies, rather than only to those employers "carrying on a business by lease or otherwise." Defines "clerical and other worker" to include all employees except those defined as "manual worker," "railroad worker," and "commission salesmen"; and except persons employed in a bona fide executive, administrative, or professional capacity earning in excess of \$200 a week, rather than \$100 a week.

Adds a requirement that employees in the category of "clerical and other worker" be paid wages at least semimonthly, on regular paydays designated in advance. (Retains the requirement that manual and railroad workers be paid at least weekly; manual workers in nonprofit institutions, semimonthly; and commission salesmen, monthly.)

Requires all employers to: (1) notify employees when hired of the rate of pay, the regular payday, and of any subsequent changes; (2) furnish each employee with a statement of wages and deductions; and (3) maintain payroll records for not less than 3 years.

Permits checkoff of union dues, contributions to charity, bond purchases, and similar deductions from wages upon the written authorization of the employee. Adds a definition of wages that excludes certain fringe benefits.

Retains the provision authorizing the Industrial Commissioner to take wage assignments; and the provisions prohibiting discrimination in pay because of sex except for employees in domestic service, farmwork, and nonprofit organizations.

Ch. 989 (Approved 8/3/66; effective 10/1/66). Specifies that every nonprofit organization shall pay wages to each of its employees at least semimonthly.

#### WAGES--EQUAL PAY

Ch. 497. See Wages and Hours--All Workers.

Ch. 548. See Wage Payment and Wage Collection.

#### WAGES--PREVAILING WAGES

Ch. 320 (Approved 5/10/66; effective 10/1/66). Provides for the imposition of a 5-year blacklist penalty to run against a person or corporation for willful failure to pay prevailing wages or to make payments of certain fringe benefits in two instances within any consecutive 6-year period after October 1, 1966.

Ch. 976 (Approved 8/2/66; effective 9/1/66). Provides that no employee engaged on a public works project shall be regarded as an apprentice unless he is enrolled in an apprenticeship program that is registered with the Industrial Commissioner.

WAGES--WAGE GARNISHMENT

Ch. 613 (Approved 6/14/66; effective 1/1/67). Prohibits an employer from discharging an employee solely because of an income execution, but specifies that this provision shall not apply if more than one income execution has been served within 12 consecutive months. Permits the employee to bring suit for up to 6 weeks' wages lost as a result of violation and specifies that the court may order his reinstatement.

WAGES AND HOURS--ALL WORKERS

Ch. 497 (Approved and effective 6/7/66). Reinstates the 6-year time limitation within which an action must be commenced to recover minimum wage and equal pay underpayments. (The time limit had been reduced to 3 years under the new Civil Practice Law.)

Ch. 649 (Approved and effective 6/21/66). Raises the minimum wage rate from \$1.25 to \$1.50 an hour effective January 1, 1967. Provides for an increase to \$1.60 an hour whenever the Fair Labor Standards Act is increased to that amount.

Permits a wage board to recommend that canners and food processors pay seasonal workers less than \$1.50 an hour, but not less than the minimum wage required by the Fair Labor Standards Act.

WORKMEN'S COMPENSATION

Ch. 161 (Approved 4/5/66; effective 7/1/66). Deletes the provision limiting the total amount payable in cases of temporary total disability to \$6,500, thereby permitting benefits equal to 66-2/3 percent of the individual's average wages for the duration of the disability.

Ch. 391 (Approved 5/16/66; effective 6/1/66). Provides that the head of any department of the State government may accept the services of a volunteer worker and such worker shall be deemed an employee of the State for purposes of the workmen's compensation law. Provides that in computing benefits the average weekly wage shall be not less than \$30 or, as before, the amount of the regular wages of the volunteer in his regular vocation.

Ch. 424 (Approved and effective 5/23/66). Removes radiation diseases from the provision that to be compensable, disability or death from certain occupational diseases must occur within 5 years from contraction of the disease. Retains, however, the provision that after a 2-year period, a claim must be filed within 90 days after disablement or death and after knowledge that disablement or death was due to the nature of the employment.



## New York

Ch. 646 (Approved 6/21/66; effective 10/1/66). Extends workmen's compensation coverage to farm laborers employed during any part of the 12 consecutive months beginning April 1 of any year by a farmer whose total cash payments during the preceding calendar year amounted to \$1,200 or more. Also covers farm laborers supplied by a farm labor contractor and regards such laborers as employees of the farmer. Excludes the spouse or minor child under the age of 18 of the farmer employer unless the services of such spouse or minor child are engaged by the employer under an express contract of hire.

Ch. 681 (Approved and effective 6/21/66). Extends coverage of the law to school aides employed by school authorities in any school district.

Ch. 895 (Approved and effective 8/1/66).

Ch. 896 (Approved and effective 8/1/66). Permits employers acting as a group in an industry or an association to adopt a plan of self-insurance. Provides safeguards for such plans.

## MISCELLANEOUS

Ch. 102 (Approved 3/29/66; effective 1/1/67). Applies throughout the State a provision that a person absent from employment because of jury service, after having given prior notice to his employer, shall not be subject to discharge or penalty on this account. (Previous provision applied only to jurors in counties out side of New York City.)

Permits employer to withhold the employee's wages during such absence. Subjects employer who penalizes employee because of jury service to criminal contempt of court.

Ch. 355 (Approved 5/16/66; effective 1/1/67). Amends the job development authority law by assisting the financing of projects for the construction of new industrial or manufacturing plants within the State or rehabilitating old ones in order to improve employment opportunities in any area of the State, rather than only in areas of the State where unemployment is or may become a critical problem. Retains criteria for determining areas in which assistance should be given, such as the average rate of unemployment in a given period.

## PENNSYLVANIA

(Regular Session: 1/4/66--11/15/66)

## CHILD LABOR AND SCHOOL ATTENDANCE

Act 559 (Approved 1/26/66; effective 9/1/66). Provides that for the purposes of the child labor law a minor may, at his own expense, have the physical examination performed and the physical

## Pennsylvania

fitness certificate signed by his family physician, rather than the school physician. Specifies that any examination which would equal or be more comprehensive than the examination given by either the school or family physician will be deemed to meet the requirements of the law, and that the certificate may be signed by the physician designated by the prospective employer.

### INDUSTRIAL RELATIONS

H. Res. 10 (Adopted 3/7/66). A resolution requesting the Speaker of the House to appoint the Labor Committee to investigate the question of whether or not a school for the training of strike-breakers is being conducted near Chester, Pennsylvania, and to report any recommendations it may have for remedial action to the General Assembly.

### OCCUPATIONAL SAFETY AND HEALTH

Act 578 (Approved and effective 1/28/66). Designates the Department of Health as the State radiation control agency. Makes the Department of Commerce responsible for promotion and development of atomic energy resources, and the Department of Health for control and regulation of radiation sources.

Creates an Advisory Committee on Atomic Energy Development and Radiation Control, to be appointed by the Governor. The nine-member committee shall include individuals from industry, labor; education; medicine, radiology, and related sciences. The Committee is to furnish technical advice on matters related to development and utilization of atomic energy resources, and to review proposed rules relating to the regulation and control of radiation sources.

Authorizes the Governor to enter into agreements with the Federal Government for the assumption by the State of certain regulatory activities.

Authorizes the Department of Health, among other things, to conduct and develop programs for the control and regulation of radiation sources, and to encourage, participate in, and conduct studies, training, research, and demonstrations relating to such sources. Empowers the Department to provide for the licensing or registration of such sources, and to exempt certain sources or users from such licensing or regulation. Specifies that regulations may provide for recognition of other State or Federal licenses.

Requires the maintaining of appropriation records of radiation exposure of persons for whom personnel monitoring is required, and the furnishing of such records to each employee at such times as the Department may appropriate.

## PUERTO RICO

(Regular Session: 1/10/65--5/31/66)

### WAGES AND HOURS--ALL WORKERS

H. Con. Res. 16 (Adopted 5/10/66). Resolves that the United States Congress be apprised of the legislature's opposition to the applicability of the recently amended Fair Labor Standards Act to Puerto Rico with respect to extension of coverage and the irreversible automatic increases of the Federal minimum wage.

### MISCELLANEOUS

Act 104 (Approved and effective 6/22/66). Creates a non-profit corporation, designated as "Homes for Workers Foundation," its purpose being to find means through which workers can obtain low cost housing, to develop other related projects for their benefit, and to promote investment by labor organizations and welfare plans in such projects.

## RHODE ISLAND

(Regular Session: 1/4/66--12/27/66)

### INDUSTRIAL RELATIONS

Ch. 146 (Approved and effective 5/11/66). School teachers' arbitration act. Gives public school teachers the right to organize and bargain collectively with their school committees as to hours, salary, and other working conditions, but prohibits the right to strike. Exempts superintendents, assistant superintendents, principals, and assistant principals. Establishes procedures for determining the bargaining agent, supervising elections, and certifying the bargaining agent. Permits disputes between the bargaining agent and the school committee to be taken by either party to mediation and conciliation by the State Department of Education, the Director of Labor, or other forum, or if these procedures fail, or are not used, then to arbitration. Establishes procedures for arbitration and makes the decisions binding upon the parties.

Ch. 147 (Vetoed; passed over veto and effective 5/5/66). Amends the "organization of State employees act" to exempt employees and members of the police department from the category of State employees who have the right to organize and designate collective bargaining representatives.

Extends coverage of the State labor relations act to organizations representing State employees including the Rhode Island State Employees Association. Prohibits State employees from striking.

Requires State officials to recognize an organization designated by its employees for collective bargaining purposes. Specifies that State officials must make every reasonable effort to settle disputes and put all agreements in writing.

## Rhode Island

Ch. 158 (Approved and effective 5/13/66). Amends the fire-fighters' arbitration act to specify that a majority decision of the arbitrators shall be binding instead of advisory, except that a decision involving an expenditure of money remains advisory.

Ch. 230 (Approved and effective 5/23/66). Clarifies the collective bargaining rights of State employees, including fire-fighters and policemen, by amending the organization of State employees act to show that such employees are subject to provisions of the State labor relations act, but that they are prohibited from striking.

### OCCUPATIONAL SAFETY AND HEALTH

Ch. 185 (Approved and effective 5/23/66). Requires all schools and colleges to furnish all students, teachers, and classroom visitors with eye-protective devices while participating in specified courses that require the use of specified hazardous substances, equipment, or processes.

Authorizes the Director of Labor to issue regulations and standards for the use of such devices and requires the schools to obtain approval of such from the Director before they are furnished.

### WAGE PAYMENT AND WAGE COLLECTION

Ch. 141 (Approved and effective 5/9/66). Repeals the provision under which an employer who penalized an employee for leaving his employment without prior notice would be subject to a like penalty for discharging an employee without notice, unless good cause existed for the discharge.

### WAGES--WAGE GARNISHMENT

Ch. 139 (Approved 5/9/66; effective 9/1/66). Increases from \$30 to \$50 the exemption of wages from garnishment.

### WAGES AND HOURS--ALL WORKERS

Ch. 50 (Approved and effective 4/15/66). Permits, in the paying of hourly wages, a gratuity allowance of 10 cents an hour for drivers of "limited public motor vehicles." Retains the gratuity allowance of 10 cents an hour for taxicab drivers and 40 cents for all other tipped occupations.

Ch. 140 (Approved 5/9/66; effective 7/1/66). By removing coverage of employees of nonprofit hospitals under the \$1.00 an hour rate, places such employees under the \$1.25 an hour rate. Retains \$1.00 an hour rate for other nonprofit organizations.



WORKMEN'S COMPENSATION

Ch. 45 (Approved and effective 4/14/66). Raises the annual payments to the Curative Centre Fund by insurers and self-insurers from one to one and one-half percent of the gross premiums received from workmen's compensation or employer's liability insurance during the preceding calendar year or in case of self-insurers, one and one-half percent of the premium which they would have had to pay to obtain the insurance.

Ch. 130 (Approved and effective 5/6/66). Raises the monetary amounts from the former maximum of \$40 to \$45, and the minimum from \$17 to \$20 for employees receiving benefits under the State's temporary disability insurance act; and raises the former maximum of \$45 to \$50 and the minimum from \$22 to \$25 where the injured employee is not entitled to or has exhausted his benefits under that act.

Ch. 162 (Approved and effective 5/16/66). Extends for the fiscal year July 1, 1966, through June 30, 1967, provisions requiring insurers, including self-insurers, to make one additional payment to the second-injury fund in an amount of one percent of premiums for workmen's compensation insurance, but not less than \$25.

Ch. 275 (Approved and effective 5/26/66). Raises from \$62 to \$67 a week the maximum amount in disability benefits that a claimant may receive under a State or Federal workmen's compensation law plus his temporary disability payments. Provides that such benefits shall be in addition to dependents' allowances under the temporary disability insurance provisions.

**SOUTH CAROLINA**

(Regular Session: 1/11/66--5/20/66)

TRAINING AND RETRAINING

S. 737 (Approved and effective 5/10/66). Creates the seven-member Orangeburg-Calhoun Area Technical Education Commission and makes it responsible for a full study geared to the development and implementation of an adequate area vocational and training program. Requires an annual report to the legislative body of each county.

WORKMEN'S COMPENSATION

H. 1017 (Approved and effective 5/20/66). Increases maximum weekly benefits from \$35 to \$50 for all types of disability; and the aggregate for all types of disability and death from \$10,000 to \$12,500.

H. 1729 (Adopted 5/27/66). Continues the special committee appointed in 1964 to study the law, and requires it to make a report of its findings and recommendations to the General Assembly.

**SOUTH DAKOTA**  
(Regular Session: 1/4/66--2/7/66)

**WAGES--EQUAL PAY**

H. 594 (Approved 2/14/66; effective 7/1/66). Prohibits any employer from discriminating on the basis of sex in any occupation by paying wages at a rate less than the rate paid employees of the opposite sex for comparable work on jobs with comparable requirements relating to skill, effort, and responsibility, but not to physical strength. Excepts differentials paid pursuant to established systems such as seniority, merit increase, or job descriptions; or executive training programs which do not discriminate on the basis of sex.

Requires employers of more than 25 persons to keep specified records and to preserve them for a reasonable period of time.

Provides for civil action to recover unpaid wages by one or more employees, for themselves and others similarly situated, together with costs and a reasonable attorney's fee. Specifies that agreement to work for a reduced wage is not a defense. Requires action to be instituted within 2 years after the cause of action occurs. Prohibits employers from taking or threatening retaliatory action to dissuade an employee from preferring charges, giving information, or testifying in any proceeding under the act.

**WAGES AND HOURS--ALL WORKERS**

H. 594 (Approved 2/14/66; effective 7/1/66). Extends the minimum wage law to "persons" over the age of 14 instead of limiting it to females over that age. (Retains the exemptions for learners, apprentices, and the handicapped.)

**WORKMEN'S COMPENSATION**

S. 9 (Approved 2/8/66; effective 7/1/66). Raises from \$38 to \$42 the maximum weekly benefits payable for all types of disability. Raises the minimum benefits from \$20 to \$22 or the average weekly wage if less, except in the case of permanent total disability where such increase applies to the first 300 weeks. Specifies that if disability continues for 4, rather than 6 weeks, compensation shall be paid from the date of the injury. (Retains the provision that after 300 weeks of permanent total disability a maximum of \$15 and a minimum of \$12 a week is payable for life.) Raises from \$13,500 to \$14,000 the total maximum amount payable in any case.

S. 103 (Approved 2/7/66; effective 7/1/66). Raises from \$300 to \$750 the burial allowance to include purchase price of headstone.

H. 624 (Approved 2/14/66; effective 7/1/66). For the purpose of workmen's compensation coverage, game wardens, while performing any act ordinarily considered a peace officer's duty, shall be deemed to be acting in the course of their employment.

## UTAH

(First Special Session: 1/12/66--1/19/66)

### WAGE PAYMENT AND WAGE COLLECTION

H. 11-X (Approved 1/25/66). Makes the wage payment and wage collection law applicable to banks and mercantile houses, formerly exempted. Deletes the requirement that employers post an abstract of the act.

## VERMONT

(First Special Session: 1/5/66--3/12/66)

### WAGES--WAGE GARNISHMENT

H. 32-X (Approved 2/22/66; effective 7/1/66). Exempts from trustee process \$30 due for each week or part thereof, plus 50 percent of all compensation due in excess of \$60 per week. (Formerly exempted the lesser of \$25 or 50 percent of compensation due, for any period of time.)

## VIRGINIA

(Regular Session: 1/12/66--3/28/66)

### CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 603 (Approved 4/5/66; effective 6/27/66). Raises the minimum age from 16 to 18 for the employment of girls in selling subscriptions for books or periodicals, other than newspapers.

Retains the minimum age of 16 for boys in such work provided that they may not work more than 25 miles from the address specified in their employment certificate, and their hours shall be computed from the time they are required to report for work at the address of the employer to the time they are released from work at such address or delivered to their homes.

### HOURS OF WORK

Ch. 91 (Approved 3/2/66; effective 6/27/66). Exempts from the law which sets a maximum 9-hour day, 48-hour week, any business establishment meeting the requirements of the Fair Labor Standards Act with respect to hours, wages, and recordkeeping, for females 18 years of age or older.

### INDUSTRIAL RELATIONS

Ch. 75 (Approved 3/1/66; effective 7/1/66). Requires every labor union in Virginia to register once every 3 years with the

## Virginia

Department of Labor and Industry not later than 45 days after January 1. In addition, provides that the Department shall be notified in writing within 30 days of any change in the officers designated on the registration form.

Ch. 92 (Approved 3/2/66; effective 6/27/66). Provides that, where there is no collective bargaining contract in effect, a public utility or its employees shall give the Department of Labor and Industry at least 30 days' notice prior to any work stoppage which would affect the operations of the utility.

Specifies that, where a bargaining contract is in effect and notice of the modification of the contract is given, notice of termination of the contract is not required.

Ch. 382 (Approved 4/1/66; effective 6/27/66). Authorizes a labor union to hold five acres, rather than three acres, of real estate at any one time. Specifies that this authority shall apply to any real estate acquired prior to the effective date of the amendment, as well as after.

### OCCUPATIONAL SAFETY AND HEALTH

Ch. 69 (Approved 3/1/66; effective 6/27/66). Requires students and teachers, when participating in courses involving experience with specified hazardous equipment, processes, or materials, to wear eye-protective devices. Requires the governing board of any public or private school to furnish such devices free of charge or at cost to students and teachers, and free of charge to visitors to such courses.

Ch. 290 (Approved 3/31/66; effective 6/27/66). Authorizes counties to regulate, unless prohibited by law, certain construction, installation, repair, and maintenance of buildings, utilities and appliances, and structures such as furnaces and boilers. Makes the law inapplicable in those incorporated towns which have in force equal or greater standards than issued by the county.

Ch. 594 (Approved 4/5/66; effective 6/27/66). Revises the mining law by adding, amending, and repealing various sections. Retains provision that the Division of Mines, under the control of the Department of Labor and Industry, shall enforce all laws enacted for the safety of persons employed within or at mines and quarries. Expands safety provisions in all phases of mining; as for example, in hoisting, use and storing of explosives, blasting, and measures required to be taken to reduce hazards of dust and fumes for prolonged periods.

Makes the experience and age requirements for mine inspectors the same as those required for the Chief of the Division of Mines by raising the minimum required experience from 8 to 12 years, and the minimum age from 28 to 30. Deletes the requirement that at least 6 years must have been in coal mines. Raises from 3 to 5 years the required experience for a fireboss in a mine. Newly



## Virginia

requires that an applicant for a first-class mine foreman certificate shall be no less than 23 years of age, but retains the requirement that he have at least 5 years experience, 3 of which must have been in underground mines.

Requires that all mines have one complete inspection every 90 days. Formerly, complete inspections of gaseous mines were required every 45 days and nongaseous every 90 days. As before, permits more frequent inspections when deemed necessary by the Chief.

Prohibits females of any age from doing any work in or around any mine or quarry. Deletes the provision permitting females over age 18 to perform office, clerical, laboratory, first-aid, messenger service, or similar work. Retains the provision prohibiting a male person under age 18 from working in or around any mine or quarry.

Newly provides that all funds derived from license fees shall be earmarked for the use of the Division of Mines in furthering the safety program in the mining and quarrying industry.

Newly provides for compulsory retirement at age 65.

### PRIVATE EMPLOYMENT AGENCIES

Ch. 53 (Approved 2/26/66; effective 2/27/66). Strengthens the provision relating to a bona fide order for every applicant by requiring the agency to keep on file a record showing the name and address of the employer and the employee, and the terms and conditions of employment. Requires the agency to keep these records on file for 3 years, subject to review by the Commissioner of Labor and Industry.

Prohibits the agency from advertising services as free if any person assumes liability for any fees. Requires the agency to put its name and address on all advertisements for its services, regardless of the media used.

Ch. 77 (Approved 3/1/66; effective 6/27/66). Requires employment agencies to deliver a copy of the contract to the applicant at the time it is entered into.

### WORKMEN'S COMPENSATION

Ch. 64 (Approved 3/1/66; effective 6/27/66). Increases from \$39 to \$45 the maximum weekly benefits for total or partial disability or for death. Increases the total maximum benefits payable from \$15,600 to \$18,000 for disability, and from \$11,700 to \$13,500 for death except that in case of a widow and children wholly dependent upon the worker, benefits may be paid for 400 weeks (formerly 300 weeks) and up to a maximum total of \$18,000.

Limits to \$18,000, instead of \$15,600 the aggregate benefits payable under the act.

Ch. 134 (Approved 3/10/66; effective 6/27/66). Provides for workmen's compensation benefits to firemen who lawfully go outside the State during emergencies caused by fire or other public disaster.

## Virginia

Ch. 200 (Approved 3/31/66; effective 6/27/66). Extends coverage under the workmen's compensation act to judges, clerks, and other employees of regional juvenile and domestic relations courts.

Ch. 388 (Approved 4/1/66; effective 6/27/66). Authorizes the Industrial Commission to extend from 2 to 3 years the period during which the employer must furnish free medical care to an injured employee.

Ch. 417 (Approved 4/1/66; effective 6/27/66). Provides that the fee and expenses of a physician or surgeon who examines an employee shall be paid by the State. Deletes the provision that the Industrial Commission shall set the fee, not exceeding \$10 for each examination, and allowing an additional amount in extraordinary cases.

Ch. 504 (Approved 4/4/66; effective 6/27/66). Provides that an employee's right to workmen's compensation benefits and the employer's obligation to furnish medical care begins when the employee first learns of his occupational disease diagnosis, rather than when he becomes incapacitated for work. Specifies that this provision shall apply to occupational diseases contracted before and after July 1, 1966.

S. J. Res. 61 (Adopted 3/12/66). Directs the Advisory Legislative Council to study the operations of the Industrial Commission and the workmen's compensation laws and to submit recommendations for legislative changes, if any, to the Governor and General Assembly, by October 1, 1967.

### MISCELLANEOUS

Ch. 614 (Approved 4/5/66; effective 6/27/66). Requires non-resident employers to register with the Department of Labor and Industry for each specific contract for demolition, excavation, installation, paving, repair, maintenance, erection, or construction work costing not less than \$300 nor more than \$20,000, unless annual registration with the Department is applied for and granted. Provides for the furnishing of specified information, including the rates of pay and number of employees employed at each rate.

Exempts contractors registered with the Registration Board for Contractors.

## WEST VIRGINIA

(Regular Session: 1/12/66--2/11/66)

### WAGES AND HOURS--ALL WORKERS

H. 217 (Approved 2/15/66). Enacts a minimum wage law. Establishes a statutory minimum wage rate of \$1.00 an hour effective January 1, 1967, applicable to men, women, and minors employed by

## West Virginia

an employer of six or more employees during any calendar week. Exempts employees in certain occupations and establishments, including agriculture, certain nursing homes, traveling or outside salesmen; certain individuals covered under a Federal act; those 62 years of age and over who receive old-age and survivors insurance under the Social Security Act; and any person employed in a bona fide professional, executive, or administrative capacity. Requires payment of at least one and one-half times the employee's regular rate for work in excess of 48 hours in a workweek.

Directs the Commissioner of Labor to set up a Wage and Hour Division within the Department of Labor, and to enforce and administer the law. Specifically grants to the Commissioner the right of entry. Also authorizes the Commissioner to file criminal complaints for violations or to institute civil actions seeking appropriate injunctive relief to compel an employer to comply with the law, but specifies that the Commissioner is not authorized or required to seek recovery of unpaid wages for the benefit of the employee.

Requires the Commissioner to issue regulations relating to maximum allowances for room and board furnished to employees, and for a gratuity allowance of 40 cents an hour for employees customarily receiving gratuities, in the setting of hourly wage rates and computing overtime.

Requires employers to maintain specified records which must be kept for a period of 2 years.

## WORKMEN'S COMPENSATION

S. 61 (Approved 2/14/66; effective 2/4/66).

S. 66 (Approved 2/14/66; effective 2/4/66). Authorize Fayette and Greenbrier County courts to establish the Fayette County Airport Authority and the Greenbrier County Airport Authority, respectively, the purposes of which are to construct and operate a public airport in the respective counties. Provide that all eligible employees of such Authority shall be deemed to be covered by the workmen's compensation act, and payment of premiums shall be made by the Authority to the workmen's compensation fund.

## WISCONSIN

(Regular Session: 1/13/65--1/11/67)

## INDUSTRIAL RELATIONS

Ch. 612 (Approved 6/27/66; effective 1/1/67). State employment labor relations act. Establishes the right of State employees to self-organization and to bargain collectively through representatives of their own choosing as to certain conditions of employment, and the right of such employees to refrain from any or all such activities.

## Wisconsin

Exempts from coverage supervisors, employees having access to confidential information affecting the employer-employee relationship, and employees of the Wisconsin Employment Relations Board. Provides that for the purposes of this act a labor organization may not discriminate in its membership because of race, color, creed, sex, age, or national origin.

Establishes the procedure for determining the employees' bargaining representative by secret ballot and for the settlement of disputes by arbitration, mediation, or by factfinding. Specifies unfair labor practices for both the employer and the employees. Also specifies the subjects of bargaining.

Makes it an unfair labor practice for State employees individually or in a group to engage in a strike.

Specifies the rights of management in strikes, work stoppages, slowdowns, or other interruptions to discipline employees, including discharge, cancellation of civil service status, or requesting the imposition of fines.

Requires the Wisconsin Employment Relations Board to hold hearings on any controversy involving unfair labor practices, including alleged violations of the provision relating to strikes.

### WAGES--PREVAILING WAGES

Ch. 630 (Approved 7/1/66; effective 8/6/66). Provides that the overtime requirement of the prevailing wage law does not apply to contracts for public works projects costing less than \$2,500, which require only one trade or occupation to complete, or to contracts for projects costing less than \$25,000, which require more than one trade or occupation. Previously, the overtime provision applied to each contract involving \$1,000 or more.

Deletes the 1965 provision making the overtime requirements applicable to workers who deliver mineral aggregate to the worksite and deposit it in place, but retains such provision for workers under contracts involving work on highways.

### WORKMEN'S COMPENSATION

Ch. 536 (Approved 6/9/66). Provides that if an employee is entitled to death benefits under both the workmen's compensation law and the retirement system under the municipal law, such benefits under the municipal law shall be reduced by an amount equal to the weekly death benefits under the workmen's compensation law.



**UNITED STATES**  
(89th Congress--Second Session)

Public Law 89-358 (Approved 3/3/66). Veterans Readjustment Benefits Act of 1966. Provides veterans who served on active duty after January 31, 1955 with educational benefits. Specifies 1 month of educational assistance for each month or fraction thereof, up to a maximum of 36 months spent on active duty. Requires the completion of an educational program by the veteran within 8 years following last discharge from active duty after January 31, 1966, or within 8 years after June 1, 1966, whichever is later. Provides that a person with 2 years active duty and still on such duty may attend nearby institutions in off-duty hours. Does not permit enrollment in courses of apprenticeship or on-the-job training, or institutional on-the-farm training.

Makes the same services available to veterans under this act with respect to job counseling and employment placement service provided by the Department of Labor as are available to other veterans.

Also provides certain medical benefits and home loans to eligible veterans.

Public Law 89-376 (Approved 3/26/66). Extends the mandatory Federal safety requirements of the Federal Coal Mine Safety Act to previously exempted small mines--mines which regularly employ less than 15 persons underground. (These requirements are designed to prevent disasters arising from mine explosion, mine fire, mine inundation, and man-trip and man-hoist accidents. Specifically, they cover such conditions as roof support, ventilation, rock-dusting, coal dust, electrical equipment, and fire protection.) Authorizes Federal inspectors to enter small mines as well as large mines to determine any violations.

Requires the Director of the Bureau of Mines to cooperate with the State governments, through formal agreement or otherwise, for the purpose of promoting the coordination of safety enforcement activities between State and Federal Governments in order to secure effective enforcement of Federal safety standards.

Authorizes an appropriation for grants to the States for the improvement of coal mine safety educational programs.

Directs the Secretary of the Interior to conduct a study of the adequacy of present Federal safety requirements and to report his findings to Congress within 1 year.

Public Law 89-456 (Approved 6/20/66). Amends the Railway Labor Act to establish, upon request of a representative of carriers or labor, special boards of adjustment to resolve minor disputes arising under collective bargaining agreements which are not resolved for 12 months after their referral to the National Railroad Adjustment Board. Limits such review to the determination of questions commonly involved in arbitration legislation. Specifies that Board decisions are conclusive on questions of fact.

Public Law 89-482 (Approved 6/30/66). Extends until June 30, 1968, the powers of the President under the Defense Production Act of 1950, including the power to establish priorities for defense contracts; authority to make loans and purchases to build up our defense capacity and assure supplies of defense materials to carry out existing contracts; authority to employ persons, including advisors and consultants, with or without compensation; and authority to establish a reserve of trained executives to fill Government positions in time of mobilization.

Public Law 89-488 (Approved 7/4/66). Amends the Federal Employees' Compensation Act (FECA) principally by (1) removing the maximum dollar amount (\$525) for compensation and survivor benefits and in lieu thereof providing that no benefits shall exceed 75 percent of the monthly pay of the highest rate of basic compensation for a GS-15; provides a floor of 75 percent of the monthly pay of the first step of a GS-2, unless the employee earns less, in which case he shall receive compensation equal to his basic salary; (2) continuing payments made in the case of minor dependents for 4 years beyond the previous age limit of 18, if the dependents are in school during those 4 years and unmarried; (3) increasing existing awards by the rise in the Consumer Price Index since 1958, and providing for future adjustments in awards when the Index rises 3 percent (4) affording a claimant the right to an informal hearing before review by the Employees' Compensation Appeals Board; and (5) liberalizing the third-party provisions.

Public Law 89-511 (Approved 7/19/66). Extends the Library Services and Construction Act to June 30, 1971. (The Davis-Bacon Act and related legislation apply to this construction.)

In addition to enlarging the construction program, newly appropriates money to support inter-library cooperation, and to establish a grant program to provide library services to the physically handicapped, the institutionalized, persons in State orphanages, hospitals, prisons, or training schools, the blind, or those who cannot read conventional printed matter.

Public Law 89-562 (Approved 9/8/66). Extends for fiscal years 1968 and 1969 appropriations for the making of grants under the Urban Mass Transportation Act of 1964. Newly authorizes grants to State and local agencies for: (1) planning, engineering, and designing urban mass transportation projects and for other technical studies in a program for a "unified or officially coordinated urban transportation system as a part of the comprehensively planned development of the urban area"; (2) for the training of personnel; and (3) to public and nonprofit institutions of higher learning to assist in carrying on comprehensive research in the problems of transportation in urban areas.

Public Law 89-574 (Approved 9/13/66). Federal-Aid Highway Act of 1966. Among other things, authorizes additional appropriations for the completion of the interstate system of highways and

## United States

Federal-aid for primary, secondary, and urban highway programs and for roads on Federal property. Specifies that the initial construction of the interstate system is subject to an extension of the Davis-Bacon Act providing minimum wage protection to laborers and mechanics.

Public Law 89-577 (Approved 9/16/66). Federal Metal and Nonmetallic Mine Safety Act. Authorizes and directs the Secretary of the Interior to set up health and safety standards in metal and nonmetallic mines, except coal and lignite, and, with respect to radiation hazards, property used in the milling of atomic energy source material (the latter mines are subject to other Federal legislation). Provides that standards are to be developed after consultation with local advisory committees appointed by the Secretary.

Authorizes the Secretary at any time to inspect and investigate mines which are subject to the act for compliance and related purposes, and specifies inspections may be made in cooperation with State inspectors under approved State mine health and safety plans.

Permits orders for correction of dangerous conditions to be appealed to the Secretary for annulment or revision, and permits the Secretary's action to be appealed to a newly created Federal Metal and Nonmetallic Mine Safety Board of Review. Specifies that decisions of the Board are subject to review by the Federal Court of Appeals for the circuit in which the mine affected is located.

Public Law 89-601 (Approved 9/23/66). Amends the Fair Labor Standards Act. Increases the minimum wage rate for persons already covered by the act from \$1.25 to \$1.40 beginning February 1, 1967, and to \$1.60 an hour beginning February 1, 1968. Provides a minimum rate of \$1.00 an hour starting February 1, 1967, with annual increments of 15 cents to \$1.60 on February 1, 1971, for newly covered nonfarm workers. Broadens coverage to include workers in laundry or construction enterprises, in hospitals or nursing homes, in certain gasoline service stations, certain employees in educational institutions, and certain employees of Government service contractors. Also provides a minimum of \$1.00 an hour, increasing by two 15-cent annual increments, to \$1.30 an hour on February 1, 1969, for certain farmworkers covered by the law for the first time.

Provides for overtime pay for most newly covered employees at time and one-half after 44 hours beginning February 1, 1967, after 42 hours beginning February 1, 1968, and after 40 hours beginning February 1, 1969. Among those exempted from the overtime provisions are hotel, motel, restaurant, and food service employees; nursing homes employees (limited to 48 hours); certain mechanics and salesmen; employees engaged in the processing of sugarbeets, sugar-cane, or maple sugar or syrup; certain drivers and conductors in transit systems; and fruit and vegetable transportation workers.

Specifies that tips which are deemed wages may not exceed 50 percent of the statutory minimum. Defines tipped employees as those in occupations in which they customarily and regularly receive more than \$20 a month in tips.

Prohibits children under 16 from employment in agriculture in any occupation found by the Secretary of Labor to be hazardous, except where the child is employed by his parent on a farm owned or operated by the parent. Provides for the employment in agriculture, or by retail or service establishments of full-time students, regardless of age, but in compliance with the child labor laws, at a rate not less than 85 percent of the minimum. Specifies that such students may be employed only where the Secretary determines that such employment will not create a "substantial probability" of reducing full-time employment opportunities of regular employees. Specifies that such students may be employed not more than 20 hours a week, except during school vacations.

Provides that handicapped workers shall be paid wages commensurate with those paid nonhandicapped workers for the same type, quantity, and quality of work, but not less than 50 percent of the applicable minimum wage beginning January 1, 1967. Authorizes the Secretary to issue certificates for less than minimum wage requirements in proportion to the worker's productivity. Also authorizes the Secretary to establish a new classification to be called "work activity centers," which are to be used exclusively to provide therapeutic activities for severely handicapped clients.

Increases the statute of limitations under the Act from 2 to 3 years in cases of willful violation.

For Puerto Rico and the Virgin Islands, provides a two-step increase in existing wage orders: 12 percent within 60 days from the effective date of this act or 1 year from the date of the most recent wage order, whichever is later; and 16 percent beginning 2 years after the 12 percent rate goes into effect.

Directs the Secretary to (1) make a study of present practices on overtime payments and the extent that overtime work impedes creation of new job opportunities, with a report to be submitted to Congress by July 1, 1967; (2) make a study of wage payments to handicapped clients of sheltered workshops and the feasibility of raising existing standards in such workshops, this report also to be submitted by July 1, 1967; (3) to submit legislative recommendations to Congress by January 1, 1967, concerning age discrimination in employment; and (4) in cooperation with the Secretaries of Defense and State, to make a study of wages for wage board type employees in the Canal Zone, and the requirements of an effective and economical operation of the Canal Zone, the report to be submitted to Congress by July 1, 1968.

Public Law 89-634 (Approved 10/8/66). International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character. Implements the "Beirut" Agreement, made in 1948, to which the Senate gave its advice and consent to ratification in 1960. Amends the Tariff Schedules of the United States to permit duty-free treatment for imports of certain articles when an agency designated by the President determines that such an article is visual or auditory material of an educational, scientific, or cultural character within the meaning of the Agreement.



United States

Public Law 89-651 (Approved 10/14/66). Educational, Scientific, and Cultural Materials Importation Act of 1966. Implements the "Florence" Agreements, made in 1950, to which the Senate gave its advice and consent to ratification in 1960. Among other things provides for duty-free treatment, to the extent not already duty-free, of imports of certain educational, scientific, and cultural materials including certain books, periodicals, works of art, and scientific instruments and apparatus.

Public Law 89-670 (Approved 10/15/66). Department of Transportation Act. Brings together in one cabinet level department, headed by a Secretary of Transportation, various Federal agencies dealing with transportation problems. Among other things, directs the Secretary of Transportation to consult and cooperate with the Secretary of Labor in gathering information on the status of labor-management contracts and the promotion of industrial harmony and stable employment conditions in all modes of transportation. Provides for four administrative components: the Coast Guard, a Federal Highway Administration, a Federal Railroad Administration, and a Federal Aviation Administration.

Public Law 89-690 (Approved 10/15/66). Authorizes the Secretary of Labor to issue an exemplary rehabilitation certificate to any person discharged or dismissed from the Armed Services under conditions other than honorable or to any person who has received a general discharge, after evidence that the person has rehabilitated himself, his character is good, and his conduct and habits since he was discharged have been exemplary. Specifies that the holder of the certificate is entitled to special counseling and job development assistance in the public employment offices.

Public Law 89-694 (Approved 10/15/66). Model Secondary School for the Deaf Act. Authorizes such appropriations as may be necessary for the establishment and operation, including construction and equipment, of a model secondary school for the deaf to serve the District of Columbia and nearby States, and to serve as a model program to stimulate the development of similar programs throughout the Nation.

Provides that the Secretary of Health, Education, and Welfare, after consultation with the National Advisory Committee on Education of the Deaf, may enter into an agreement with Gallaudet College for the establishment and operation of the school. Requires the agreement to provide labor standards for laborers and mechanics employed on federally assisted construction under the bill.

Public Law 89-698 (Approved 10/29/66). International Education Act of 1966. Authorizes grants to institutions of higher education for graduate and undergraduate training in international studies. Also authorizes grants to public and private nonprofit agencies and organizations when such grants will make an especially significant contribution to attaining the act's objectives. Provides that nothing in the act is to be construed as authorizing the Federal Government to exercise any control over curricula.

United States

Authorizes the President to establish in the Department of Health, Education, and Welfare a National Advisory Committee on International Studies to advise the Secretary in the preparation of a report to the President and to the Congress not later than April 30, 1967, containing specific recommendations for carrying out the act.

Makes some changes in other legislation by (1) amending the National Defense Education Act of 1958 to provide for teacher-training institutes in international studies for secondary school teachers; (2) amending the Higher Education Act to permit students who obtain loans to use the loans at institutions overseas; and (3) amending the Mutual Educational and Cultural Exchange Act to permit students from friendly developing countries in which the United States does not own excess currencies to exchange their currency more freely into dollars if done for the purpose of studying in the United States and returning to public service in their own country.

Public Law 89-699 (Approved 10/30/66). Carries out a collective bargaining agreement between the railroad brotherhoods and carriers which was several years in negotiation.

Provides for a supplemental pension system under the Railroad Retirement Act for railroad employees with 25 or more years of service who are awarded annuities after July 1, 1966, the cost to be borne by the carriers.

Also incorporates the joint recommendation to the Congress by the bargaining parties for a 7 percent increase in railroad retirement benefits for persons who are not covered by the supplemental pension program or who did not receive increases under the Social Security Amendments of 1965.

Amends the Railroad Retirement Tax Act to provide for certain supplemental taxes; an increase of  $1/4$  of 1 percent in the rate of taxes on employees and employers under the Railroad Retirement Act, and an increase of  $1/2$  of 1 percent in the tax on employee representatives under the Railroad Retirement Act.

Public Law 89-749 (Approved 11/3/66). Amends the Public Health Service Act. Authorizes grants to assist in financing (1) comprehensive health planning and training in such planning; (2) programs to meet public health needs identified through such planning; (3) new and improved health services; and (4) new services for the mentally retarded and for handicapped children.

Authorizes the Secretary of Health, Education, and Welfare to arrange for the interchange of officers and employees between State departments and the Department of Health, Education, and Welfare.

Public Law 89-751 (Approved 11/3/66). Allied Health Professions Personnel Training Act of 1966. Adds a new title to the Public Health Service Act authorizing appropriations for grants for the construction of teaching facilities for allied health professions personnel through fiscal year 1969. Makes labor standards provisions of the Davis-Bacon Act applicable to this construction.

Public Law 89-752 (Approved 11/3/66). Extends the Higher Education Facilities Act of 1963 through fiscal year 1969 and authorizes appropriations for grants and loans for the construction of undergraduate and graduate academic facilities.

In addition to existing requirements, including Davis-Bacon labor standards, provides that plans for facilities aided by the legislation be in compliance with the Department of Health, Education, and Welfare standards for use by handicapped persons.

Public Law 89-753 (Approved 11/3/66). Clean Waters Restoration Act of 1966. Authorizes appropriations under the Federal Water Pollution Control Act for the Federal share of the cost of construction of sewage treatment plants. Provides that labor standards provisions of the Davis-Bacon Act shall apply to this construction.

Public Law 89-754 (Approved 11/3/66). Demonstration Cities and Metropolitan Development Act of 1966. Authorizes the Secretary of Housing and Urban Development to provide grants and technical assistance to help communities of all sizes to plan, develop, and carry out comprehensive city demonstration programs.

Specifies that to qualify for assistance a city's program must meet certain standards; for instance, the plan must show that marked progress will be made in reducing social and educational disadvantages, ill health, and underemployment, and enforced idleness; that adequate local resources are available to carry out the projects; that private initiative and enterprise will be fully utilized; and that a relocation plan exists for those who are displaced.

Requires wages on various projects authorized by the act to be determined and paid in accordance with the Davis-Bacon Act unless similar labor standards are applied under other Federal legislation.

Public Law 89-755 (Approved 11/3/66). Fair Packaging and Labeling Act. Prohibits the distribution in commerce of a commodity which is not packaged or labeled in conformity with specified standards including: A label specifying the identity of the commodity and the name and address of the manufacturer or distributor; the net quantity of the contents, accurately stated with no qualifying words and in a uniform location; and the terms of measure conspicuously placed and in legible type.

Authorizes the Secretary of Health, Education, and Welfare to issue regulations as to food, drug, device, or cosmetic commodities, as defined in the Federal Food, Drug, and Cosmetic Act, and the Federal Trade Commission as to any other consumer commodity. Provides that such regulations are subject to judicial review. Permits the Secretary of Commerce to exempt commodities from the requirements of the act where compliance is impractical or not necessary to prevent consumer deception.

Public Law 89-787 (Approved 11/7/65). Makes an appropriation to the Department of Health, Education, and Welfare for a "comprehensive study" of the administration of federally financed training programs.

Expressly includes training under such programs as vocational education, institutional, and on-the-job training under the Manpower Development and Training Act, apprenticeship and training program, Job Corps, specialized training programs under Title II of the Economic Opportunity Act, work experience program, work-study program, and the Neighborhood Youth Corps.

Specifies that the principal purposes of the study are to determine if there are waste, duplication, and inefficiency in administering these programs as individual programs, and if so, to make recommendations for correction.

Provides that the study is to be made by a committee of experts in the field to be appointed by the Secretary of Health, Education, and Welfare after consultation with the Secretary of Labor and the Director of the Office of Economic Opportunity.

Public Law 89-792 (Approved 11/7/66). Amends the Manpower Development and Training Act of 1962. Provides for various new programs including one to provide basic communication and employment skills for persons not adequately prepared to enter the labor force; one for special training, counseling, and referral procedures for persons 45 years of age or older; one to provide physical examinations, minor medical treatment or prostheses where necessary to permit trainees to adequately participate in training; and one for part-time training of persons already employed but who need further training to upgrade their skills in critical shortage occupations. Provides for training allowances to part-time trainees, and relaxes training allowances for certain other trainees.

Directs the Secretary of Labor to develop and carry out an experimental and demonstration program of training and education for persons in correctional institutions who need it in order to obtain employment upon release.

Extends for 1 year two experimental programs intended to explore ways of assisting persons to find employment--the trainee placement assistance demonstration project to assist in the placement of persons who have completed federally assisted training or work-experience programs and are seeking employment through a public employment office, and the labor mobility demonstration project to reduce unemployment by increasing the mobility of unemployed workers.

(Also see amendments to this act under Public Law 89-794.)

Public Law 89-794 (Approved 11/8/66). Makes comprehensive amendments to the Economic Opportunity Act of 1964, including the following:

Limits the number of job corpsmen to 45,000 and requires that a minimum of 23 percent of those enrolled be women. Removes the former limit of \$150 on the monthly pay of corpsmen under 21 years of age which could be considered for purposes of computing benefits under the Federal Employees' Compensation Act. Requires the Director of the Office of Economic Opportunity to undertake experimental and demonstration projects providing youth employment and training on a combined residential and nonresidential basis, of which not more than four may involve construction of new camps or centers, such projects to be conducted pursuant to agreement with the Secretary of Labor.



Amends the Neighborhood Youth Corps provisions by removing the former age criteria (16-21) for persons participating in the in-school work-training programs and provides instead that anyone in the 9th through the 12th grades, or of an equivalent age, is eligible. Provides educational and training assistance for out-of-school enrollees to develop their maximum occupational potential. Provides allowances for time spent in training or education; previously, enrollees could be paid only for hours worked.

Amends the "special impact" programs provisions to provide for programs directed to the solution of problems in particular communities and neighborhoods of urban areas having especially large concentrations of low-income persons. Participants may include adults and youth 16 to 21 years of age who are unemployed, underemployed, or below the poverty level.

Amends the part of the act relating to urban and rural community action programs; newly provides an adult work-training and employment program for unemployed or low-income persons in activities designed to improve the physical, social, economic, or cultural conditions of the communities.

Amends the work-experience and training programs provisions by authorizing the Director to transfer funds to the Secretary of Health, Education, and Welfare to enable him to make certain experimental or demonstration projects which provide pretraining services and basic maintenance, health, education, day-care, counseling and similar services; and to reimburse the Secretary of Labor for carrying out the adult work-training activities under the Manpower Development and Training Act of 1962.

Provides that no community action or local job corps employee may be paid at a rate in excess of the average local rate of compensation for comparable services.

Places responsibility for coordination of all programs and activities within the executive branch of the Federal Government on the Director of the Office of Economic Opportunity, the Secretary of Labor, the Secretary of Health, Education, and Welfare, and the heads of all other departments and agencies concerned. Provides that the Secretary of Labor, by agreements as may be necessary, shall be responsible for assuring that the Federal-State employment service provides support for the programs for the training of individuals to improve or restore their employability.

Amends the Manpower Development and Training Act by providing a new work-experience and training program to be administered jointly by the Departments of Labor and Health, Education, and Welfare; and specifies that the Secretary of Labor shall coordinate programs under this act and under other Federal acts. Provides for appropriate supportive and follow-up services, including relocation assistance to involuntarily unemployed individuals where the Secretary of Labor determines full-time employment is not available in the community.



## INDEX TO TOPICAL HEADINGS

Page

### AGRICULTURAL WORKERS:

California-----	18
Delaware-----	28
Florida-----	29
Hawaii-----	33, 34
Indiana-----	39, 40
Iowa-----	42
Louisiana-----	148, 150
Maine-----	45, 150
Maryland-----	49
Massachusetts-----	50
Michigan-----	54, 59, 61, 156, 157, 158
Nebraska-----	67
New Hampshire-----	73
New Jersey-----	74, 75, 161
New York-----	77, 81, 163, 166, 167, 169
North Dakota-----	84, 86
Oklahoma-----	90
Oregon-----	94
Pennsylvania-----	95, 97
United States-----	117, 119, 120, 125, 183, 184
Washington-----	109
See also: Migratory Workers	

### APPRENTICESHIP:

Alaska-----	17
California-----	19
Maine-----	43
Maryland-----	47, 151
Missouri-----	63
Nebraska-----	66
Nevada-----	68
New Hampshire-----	70
New Jersey-----	160
New Mexico-----	76
New York-----	78, 163, 167
Oregon-----	91
United States-----	181, 188
Utah-----	105
Washington-----	110

### ARBITRATION:

See: Industrial Relations

### ATOMIC ENERGY:

See: Radiation

# INDEX TO TOPICAL HEADINGS

	Page
CHILD LABOR:	
Colorado-----	24
Connecticut-----	26
Delaware-----	142
Florida-----	29
Hawaii-----	31
Louisiana-----	148
Maryland-----	48, 151
Massachusetts-----	50
Michigan-----	54, 156
New Hampshire-----	70
New Jersey-----	73
New York-----	78, 80, 162
North Dakota-----	84
Ohio-----	88
Pennsylvania-----	95, 168
South Dakota-----	101
Tennessee-----	102
United States-----	184
Virginia-----	175
Wisconsin-----	113
Also see: School Attendance	
Training and Retraining	

CONCILIATION:	
See: Industrial Relations	

DEBT POOLING:	
Colorado-----	24
Delaware-----	142
Michigan-----	54
New Mexico-----	76
Oregon-----	92
Texas-----	104

DISCRIMINATION IN EMPLOYMENT:	
Alaska-----	16
Arizona-----	17
California-----	20
Colorado-----	24
Connecticut-----	26
District of Columbia-----	29
Idaho-----	34
Illinois-----	36
Indiana-----	38
Iowa-----	41
Kansas-----	43
Kentucky-----	146
Maine-----	44
Maryland-----	48



# INDEX TO TOPICAL HEADINGS

	Page
DISCRIMINATION IN EMPLOYMENT-Continued	
Massachusetts-----	50, 153
Michigan-----	54, 156
Minnesota-----	61
Missouri-----	63
Montana-----	65
Nebraska-----	66
Nevada-----	68
New Hampshire-----	71
New Jersey-----	160
New York-----	78, 79
North Dakota-----	84
Oklahoma-----	89
Oregon-----	92
Pennsylvania-----	95
Puerto Rico-----	98
Utah-----	105
Wisconsin-----	113
Wyoming-----	115

## DOMESTIC SERVICE:

Delaware-----	28
District of Columbia-----	29, 144
Indiana-----	39, 40
Iowa-----	42
Kentucky-----	146
Maryland-----	49
Massachusetts-----	154
Michigan-----	59, 158
Nebraska-----	66
New Hampshire-----	71
New Jersey-----	74, 161
New York-----	80, 167
North Dakota-----	86
Oklahoma-----	90
Pennsylvania-----	95, 97
Utah-----	105

## EQUAL PAY:

See: Wages--Equal Pay

## EMPLOYMENT AGENCIES:

See: Private Employment Agencies

## EMERGENCY RELAXATIONS:

Massachusetts-----	51
New York-----	79

# INDEX TO TOPICAL HEADINGS

	Page
EYE PROTECTION:	
Alabama-----	15
Arkansas-----	18
California-----	21
Delaware-----	143
Florida-----	30
Illinois-----	36
Iowa-----	42
Louisiana-----	149
Maryland-----	48
Massachusetts-----	154
New Jersey-----	75
New York-----	80, 165
Oklahoma-----	89
Pennsylvania-----	96
Rhode Island-----	172
South Carolina-----	101
Texas-----	104
Utah-----	106
Virginia-----	176
FARM LABOR CONTRACTORS:	
See: Migratory Workers	
FARMWORKERS:	
See: Agricultural Workers	
HOMES FOR WORKERS FOUNDATION:	
Puerto Rico-----	171
HOURS OF WORK:	
Arizona-----	141
California-----	20
Delaware-----	27
District of Columbia-----	143
Hawaii-----	31
Massachusetts-----	51, 154
Michigan-----	157
New Jersey-----	74, 160
North Carolina-----	83
Ohio-----	88
Pennsylvania-----	95
Puerto Rico-----	98
Virginia-----	175
Washington-----	109

# INDEX TO TOPICAL HEADINGS

	Page
INDUSTRIAL HOMEWORK:	
California-----	20
New York-----	164
INDUSTRIAL RELATIONS:	
Alaska-----	16
Arkansas-----	17
California-----	20
Colorado-----	24
Connecticut-----	26
Delaware-----	27, 142
Florida-----	29
Georgia-----	144
Hawaii-----	32
Indiana-----	38
Iowa-----	41
Louisiana-----	148
Maine-----	44
Maryland-----	151
Massachusetts-----	51, 154
Michigan-----	54, 157
Minnesota-----	61
Mississippi-----	159
Missouri-----	63
Montana-----	65
Nebraska-----	67
New Hampshire-----	71
New Jersey-----	160
New Mexico-----	76
New York-----	79, 164
North Carolina-----	83
North Dakota-----	84
Oklahoma-----	89
Oregon-----	92
Pennsylvania-----	96, 170
Puerto Rico-----	98
Rhode Island-----	100, 171
Texas-----	104
United States-----	124
Virginia-----	175
Washington-----	109
West Virginia-----	112
Wisconsin-----	113, 179
Wyoming-----	115
JOB DEVELOPMENT AUTHORITY LAW:	
New York-----	169

# INDEX TO TOPICAL HEADINGS

	Page
JURY SERVICE:	
New York-----	169
LIE DETECTION:	
Delaware-----	142
Hawaii-----	32
Maryland-----	151
New Jersey-----	160
Washington-----	110
MEDIATION:	
See: Industrial Relations	
MIGRATORY WORKERS:	
California-----	18, 20, 21
Colorado-----	24
Florida-----	29
Illinois-----	36
Indiana-----	39
Massachusetts-----	52
Michigan-----	54, 55, 157
New York-----	78, 165
Oregon-----	92
Texas-----	104
United States-----	126
Wisconsin-----	113
Also see: Agricultural Workers	
MINIMUM WAGES:	
See: Wages and Hours	
OCCUPATIONAL DISEASES:	
Colorado-----	25
Connecticut-----	27
Florida-----	31
Idaho-----	35
Illinois-----	38
Indiana-----	40
Michigan-----	60
Minnesota-----	62
Montana-----	66
Nevada-----	69, 70
New Hampshire-----	73
New Jersey-----	75
New Mexico-----	77
New York-----	82, 168
North Carolina-----	84
Pennsylvania-----	97
South Dakota-----	102
Vermont-----	108
Virginia-----	178



# INDEX TO TOPICAL HEADINGS

	Page
OCCUPATIONAL SAFETY AND HEALTH:	
Alabama-----	15
Alaska-----	140
Arkansas-----	18
California-----	21, 142
Colorado-----	24
Delaware-----	143
Florida-----	30
Georgia-----	31
Illinois-----	36
Indiana-----	39
Iowa-----	41
Kentucky-----	147
Louisiana-----	149
Maine-----	45, 150
Maryland-----	48, 151, 152
Massachusetts-----	52, 154
Michigan-----	56, 157
Missouri-----	63
New Hampshire-----	72
New Jersey-----	74, 160
New York-----	79, 165
North Carolina-----	83
North Dakota-----	84
Oklahoma-----	89
Pennsylvania-----	96
Puerto Rico-----	98
Rhode Island-----	172
South Carolina-----	101
Tennessee-----	103
Texas-----	104
United States-----	181
Utah-----	106
Virginia-----	176
Washington-----	110
West Virginia-----	112

## OLDER WORKERS:

Alaska-----	16
California-----	21
Idaho-----	34
Indiana-----	39
Kansas-----	43
Maine-----	45
Massachusetts-----	154
Michigan-----	57
New York-----	80
North Dakota-----	85
Oregon-----	92
United States-----	117, 119, 124, 184, 188

# INDEX TO TOPICAL HEADINGS

	Page
PRIVATE EMPLOYMENT AGENCIES:	
Alabama-----	15
California-----	22
Florida-----	30
Massachusetts-----	154
Michigan-----57,	157
Nebraska-----	67
Nevada-----	68
New Hampshire-----	72
New York-----	80
Virginia-----	177

RADIATION:	
Colorado-----	24
Florida-----	30
Georgia-----	31
Illinois-----	36
Kentucky-----	147
Massachusetts-----	52
Michigan-----	56
Minnesota-----	62
Montana-----	66
New Hampshire-----	72
New Jersey-----	162
New Mexico-----	77
New York-----	168
North Dakota-----	84
Pennsylvania-----	170
Puerto Rico-----	98
South Dakota-----	102
United States-----	183
Utah-----	106
Vermont-----	108
Washington-----	110

REHABILITATION:	
California-----	23
Michigan-----	60
Minnesota-----	62
Mississippi-----	159
Nevada-----	70
United States-----119, 122, 127, 184,	185
Utah-----106,	107

RIGHT TO WORK:	
Indiana-----	38
Nebraska-----	67

# INDEX TO TOPICAL HEADINGS

Page

## SAFETY AND HEALTH:

See: Occupational Safety and Health

## SCHOOL ATTENDANCE:

Alaska-----	140
Colorado-----	24
Connecticut-----	26
Kansas-----	43
Maine-----	44
Maryland-----	151
Massachusetts-----	50
Michigan-----	54
New Jersey-----	74
Ohio-----	88
Oregon-----	92
Texas-----	103
Vermont-----	107
See also: Child Labor	

## SOUTHERN INTERSTATE NUCLEAR COMPACT:

Delaware-----	143
Missouri-----	63
North Carolina-----	83
Oklahoma-----	89
South Carolina-----	101
Tennessee-----	103

## STATE DEPARTMENT OF LABOR:

Alaska-----	16
California-----	22
Colorado-----	25
Michigan-----	158
New Jersey-----	75
New York-----	165
North Dakota-----	85
Tennessee-----	103
West Virginia-----	112

## STUDIES AUTHORIZED:

California--discrimination of older workers-----	21
Connecticut--manpower needs-----	27
Georgia--workmen's compensation law -----	145
Hawaii--utilization of technological revolution-----	32
effects of 35-hour week-----	31
Illinois--peaceful uses of radiation-----	36
effects of automation-----	37
Indiana--desirability of a State labor relations act--	38
Maine--licensing of steam engineers-----	150
Maryland--school dropout problem-----	151

# INDEX TO TOPICAL HEADINGS

	Page
STUDIES AUTHORIZED--Continued	
Massachusetts--seasonal farmworkers-----	52
non-fired pressure vessels-----	52
safety inspections-----	53
workmen's compensation laws-----	53
Michigan--housing of migratory workers-----	56
effect of agriculture on workmen's	
compensation insurance-----	61
operation of State Department of Labor-----	158
Missouri--problems of female employees-----	63
New Jersey--student dropouts-----	74
workmen's compensation law-----	76, 162
New York--migratory labor problems-----	78, 165
age discrimination-----	80
jobs for entrants into labor market-----	81
benefits for partial disability from	
dust diseases-----	83
industrial and labor problems-----	164
programs for economic growth-----	166
Ohio--laws relating to employment of women and minors--	88
status of women-----	88
Oklahoma--equal job opportunities-----	89
arbitration-----	89
workmen's compensation law-----	91
Oregon--workmen's compensation program-----	94
Rhode Island--public school personnel labor disputes--	100
South Carolina--training program-----	173
workmen's compensation law-----	173
South Dakota--equal pay legislation-----	102
Tennessee--child labor law-----	102
Texas--workmen's compensation law-----	105
United States--overtime-----	184
administration of federally financed	
training programs-----	187
Utah--occupational disease law-----	107
Virginia--workmen's compensation law-----	178
Wisconsin--minimum wage law and proposed amendments---	114
SUBSEQUENT INJURIES:	
Alaska-----	141
Michigan-----	59
Minnesota-----	62
New Hampshire-----	73
New Jersey-----	161, 162
Rhode Island-----	173
TIME OFF FOR VOTING:	
Kentucky-----	147



# INDEX TO TOPICAL HEADINGS

Page

## TRAINING AND RETRAINING:

Alaska-----	16
California-----	19, 22
Connecticut-----	27
Delaware-----	143
Florida-----	30
Hawaii-----	32
Illinois-----	37
Maine-----	45
Mississippi-----	159
New York-----	81, 165
Oregon-----	92
Pennsylvania-----	96
Puerto Rico-----	99
South Carolina-----	173
United States --	117, 118,
121, 122, 123, 124, 126, 127, 181, 185, 186,	188
Vermont-----	107
Also see: Apprenticeship	

## VETERANS' REEMPLOYMENT RIGHTS:

Louisiana-----	149
----------------	-----

## WAGE PAYMENT AND WAGE COLLECTION:

Alaska-----	16, 140
Arizona-----	141
California-----	22
Delaware-----	28
Hawaii-----	42, 145
Indiana-----	39
Louisiana-----	149
Maryland-----	152
Massachusetts-----	155
Michigan-----	58
Montana-----	65
Nevada-----	69
New Jersey-----	75, 161
New York-----	166
North Dakota-----	85
Rhode Island-----	172
Utah-----	175
Vermont-----	108

## WAGES--EQUAL PAY:

Alaska-----	16, 140
California-----	22
Georgia-----	143
Kentucky-----	147

# INDEX TO TOPICAL HEADINGS

	Page
WAGES-EQUAL PAY Continued	
Maine-----	45
Maryland-----	152
Massachusetts-----	155
Missouri-----	63
New York-----81,	167
North Dakota-----	86
Oklahoma-----	89
Rhode Island-----	100
South Dakota-----102,	174
West Virginia-----	112
WAGES--MISCELLANEOUS:	
Alaska-----	140
California-----	23
Illinois-----	37
WAGES--PREVAILING WAGES:	
Hawaii-----32,	33
Idaho-----	34
Maine-----	45
Maryland-----	49
Massachusetts-----52,	155
Michigan-----	58
Minnesota-----	62
Missouri-----	64
New Hampshire-----	72
New Jersey-----	161
New Mexico-----	76
New York-----82,	167
Ohio-----	88
Oklahoma-----	90
Oregon-----	93
Rhode Island-----	100
United States-----	125
Also see: United States, Davis-Bacon Act	
Washington-----	110
Wisconsin-----99,	180
WAGES--PUBLIC WORKS:	
Idaho-----	35
WAGES--WAGE GARNISHMENT:	
Alaska-----	140
Colorado-----	25
Connecticut-----	27
Kentucky-----	147
Maine-----	46

# INDEX TO TOPICAL HEADINGS

	Page
WAGES--WAGE GARNISHMENT-Continued	
Massachusetts-----	53
Mississippi-----	158
New York-----	168
North Dakota-----	86
Oregon-----	93
Rhode Island-----	172
Tennessee-----	103
Vermont-----	175
Wisconsin-----	114

## WAGES AND HOURS--ALL WORKERS:

Alaska-----	140
California-----	23
Delaware-----	28
District of Columbia-----	144
Georgia-----	145
Hawaii-----	33
Indiana-----	39
Kentucky-----	148
Louisiana-----	149
Maine-----	46
Maryland-----	49, 153
Massachusetts-----	52, 156
Michigan-----	59, 158
Nevada-----	69
New Hampshire-----	72
New Jersey-----	161
New Mexico-----	76
New York-----	82, 168
North Carolina-----	83
North Dakota-----	86
Oklahoma-----	90
Puerto Rico-----	99, 171
Rhode Island-----	172
South Dakota-----	193
United States-----	183
Vermont-----	108
West Virginia-----	178
Wyoming-----	116

## WAGES AND HOURS--WOMEN AND MINORS:

Illinois-----	37
Minnesota-----	62
Wisconsin-----	114

## WORKMEN'S COMPENSATION:

Alabama-----	15
Alaska-----	16, 141
Arkansas-----	18

# INDEX TO TOPICAL HEADINGS

	Page
WORKMEN'S COMPENSATION-Continued	
California-----	23
Colorado-----	25
Connecticut-----	27
Delaware-----	28, 143
Florida-----	31
Georgia-----	145
Hawaii-----	33, 146
Idaho-----	35
Illinois-----	38
Indiana-----	40
Iowa-----	42
Kentucky-----	148
Louisiana-----	150
Maine-----	46, 150
Maryland-----	50, 153
Massachusetts-----	53, 156
Michigan-----	59, 158
Minnesota-----	61
Missouri-----	64
Montana-----	65
Nebraska-----	67
Nevada-----	69, 159
New Hampshire-----	73
New Jersey-----	75, 161
New Mexico-----	77
New York-----	82, 168
North Carolina-----	83
North Dakota-----	87
Oklahoma-----	90
Oregon-----	94
Pennsylvania-----	96
Puerto Rico-----	100
Rhode Island-----	101, 173
South Dakota-----	102, 174
Tennessee-----	103
Texas-----	104
United States-----	182, 188
Utah-----	106
Vermont-----	108
Virginia-----	177
Washington-----	110
West Virginia-----	112, 179
Wisconsin-----	114, 180
Wyoming-----	116

## UNITED STATES:

Advisory Committee on Older Americans-----	119
Allied Health Professions Personnel Training Act-----	186
Appalachian Regional Development Program-----	116
Area Redevelopment Act-----	118



# INDEX TO TOPICAL HEADINGS

	Page
UNITED STATES-Continued	
Clean Waters Restoration Act-----	187
Cooperative Research Act-----	117
Davis-Bacon Act-----	120, 121, 122, 123, 124, 127, 182, 186, 187
Defense Production Act-----	182
Demonstration Cities and Metropolitan Development Act-----	187
Department of Housing and Urban Development-----	122
Department of Transportation Act-----	185
Economic Opportunity Act-----	20, 23, 30, 92, 124, 126, 188
Educational, Scientific, and Cultural	
Materials Importation Act-----	185
Elementary and Secondary Education Act-----	117
Fair Labor Standards Act-----	34, 72, 125, 149, 158, 163, 168, 171, 175, 183
Fair Packaging and Labeling Act-----	187
Farm Labor Contractor Registration Act-----	78
Federal-Aid Highway Act-----	182
Federal Coal Mine Safety Act-----	181
Federal Employee's Compensation Act-----	124, 182, 188
Federal Metal and Nonmetallic Mine Safety Act-----	183
Health Professions Educational Assistance Act-----	126
Health Research Facilities Act-----	121
Higher Education Act-----	126
Higher Education Facilities Act-----	187
Housing and Urban Development Act-----	121
Immigration and Nationality Act-----	124
Importation of Educational and Scientific Materials-----	184, 185
International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character Act-----	184
International Education Act-----	185
Job Corps-----	188
Juvenile Delinquency and Youth Offenses Control Act-----	118
Kerr-Mills Program-----	119
Labor Management Relations Act-----	16, 17, 65, 83, 104, 110, 144, 154
Labor-Management Reporting and Disclosure Act-----	124
Library Services and Construction Act-----	182
Manpower Act of 1965-----	117
Manpower Development and Training Act-----	16, 93, 117, 188, 189
Medical Programs-----	119, 124
Medicare-----	119
Mental Retardation Facilities and Community Mental Health Centers Construction Act-----	120
Migratory Workers-----	120
Model Secondary School for the Deaf Act-----	185

# INDEX TO TOPICAL HEADINGS

	Page
UNITED STATES-Continued	
Mutual Educational and Cultural Exchange Act-----	186
National Advisory Committee on International Studies-----	186
National Capital Transportation Act-----	122
National Commission on Architectural Barriers to Rehabilitation of the Handicapped-----	127
National Defense Education Act-----	186
National Foundation on the Arts and Humanities-----	123
National Policy and Performance Council-----	127
National Railroad Adjustment Board-----	181
National Technical Institute for the Deaf Act-----	118
Neighborhood Youth Corps-----	124, 125, 188, 189
Old-Age Survivors and Disability Insurance-----	119
Older Americans Act-----	119
Prisoners-----	122
Public Health Service Act-----	121, 186
Public Works and Economic Development Act-----	121
Railroad Retirement Act-----	120, 123, 186
Railway Labor Act-----	181
Rehabilitation Certificate-----	185
Reorganization Act No. 14-----	117, 118, 120, 121, 123, 124, 127
Service Contract Act-----	125
Social Security Act-----	25, 119, 123
State Technical Services Act-----	123
Sugar Act-----	34
Taft-Hartley Act See Labor Management Relations Act	
Urban Mass Transportation Act-----	76, 122
Veterans-----	121, 122, 181, 185
Veterans Readjustment Benefits Act-----	181
Vocational Rehabilitation Act-----	127
Volunteers in the Service of America-----	125
Voting Rights Act-----	120
Walsh-Healey-----	125











